

JOURNAL
OF THE
CALLED SESSION
OF THE
SENATE
OF THE
STATE OF ALABAMA,
HELD IN THE
CITY OF MONTGOMERY,
COMMENCING JANUARY 14, 1861.

WITH AN INDEX,
PREPARED BY THE SECRETARY OF STATE.

MONTGOMERY, ALA.:
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JOURNAL.

MONTGOMERY, ALABAMA, }
Monday, January 14th, 1861. }

This being the fourteenth day of January in the year of our Lord, eighteen hundred and sixty-one, the day affixed by the proclamation of A. B. MOORE, Governor of the State of Alabama, for the meeting of the General Assembly of the State of Alabama,

The Senate assembled in the Senate Chamber of the State Capitol.

Upon a call of the roll the following members were present:

Messrs. President, Austin, Brewer, Bynum, Cleaveland, Cocke, Felder, Fleming, Griffin, Heflin, Higgins, Hill, Jackson, Jemison, Jones of Fayette, Mitchel, Patton, Rowe, Slaton, Stone, Toulman, Walker, Wood, and Woodward.

On motion of Mr. Bynum, the Senate adjourned until to-morrow 12 o'clock.

SENATE, Tuesday, January 15.

The Senate met according to adjournment.

Message from the State Convention was received, which, on motion by Mr. Brewer, was ordered to be spread upon the Journal.

Hon. John D. Rather,

President of the Senate:

I am instructed to transmit to the Senate the accompanying ordinance.

Respectfully,

FRANK L. SMITH,
Assistant Secretary Convention.

AN ORDINANCE

To change the Oath of Office in this State.

Be it declared and ordained, and it is hereby declared and ordained by the people of the State of Alabama, in Convention assembled, That the first Section of the sixth Article of the Constitution of the State of Alabama, be amended by striking out of the fifth line of said section the words "Constitution of the United States and the" after the word "the" and before the word "constitution," where they occur.

And be it further ordained as aforesaid, That all officers are hereby absolved from the oath to support the Constitution of the United States heretofore taken by them.

WM. M. BROOKS,

President of the State Convention.

W. H. FOWLER,

Secretary of the State Convention.

Passed the 15th day of January, 1861, in convention assembled.

Messrs. McSpadden, Senator elect of Cherokee, and Morgan, Senator elect from the county of Shelby, appeared in the Senate, were qualified and took their seats.

On motion of Mr. Jones of Fayette, the Senate proceeded to the election of Assistant Secretary of the Senate to supply the place of the assistant elect, who was absent.

Mr. Samuel H. Dixon of Coosa county, alone being in nomination, and having received twenty-seven votes, was declared by the President duly elected Assistant Secretary of the Senate.

Mr. Dixon appeared, was qualified, and entered upon the discharge of the duties of the office.

Mr. President laid before the Senate a communication from the Governor, which,

On motion by Mr. Jackson, was laid on the table.

On motion by Mr. Bullock—

Resolved, That the House of Representatives be informed that the Senate has organized and is now ready to proceed to business.

Resolved, That a committee of three be appointed by the Senate to act with a like committee on the part of the House, to inform the Governor that the two houses are now organized and ready to receive any communication he may have to lay before them.

Messrs. Bullock, Jackson and Walker were appointed that committee.

On motion by Mr. Felder—

Resolved, That the editors and reporters of newspapers and periodicals have leave to come within the bar of the Senate, and be furnished with seats and a table for the purpose of reporting for their respective papers.

William Walker offered the following resolution :

Resolved, That the committee on banks and banking be instructed to prepare a bill at the earliest day practicable legalizing the suspension of specie payments of the Central Bank of Alabama, the Commercial Bank of Alabama, and the Eastern Bank of Alabama. Also, a bill authorizing the tax collectors of each county in the State to receive the bank bills of the said suspended banks in payment of the State and county taxes, and to extend the time for the returns to be made by the tax collectors to sixty days beyond the time now prescribed by law.

Mr. Fleming moved to lay the resolution on the table, which was lost.

The further consideration of the resolution was postponed for the present.

Mr. Bullock, from the joint select committee to wait upon the Governor, reported that the committee had discharged the duty assigned them, and that the Governor would communicate with the Senate forthwith.

Message from the Governor by Mr. Phelan, his private secretary.

Mr. President : I am instructed by the Governor to deliver to the Senate the accompanying message.

WATKINS PHELAN
Private Secretary.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, }
MONTGOMERY, ALA, January 14, 1861. }

Gentlemen of the House of Representatives :

Events of the utmost moment have rendered it necessary that your body should be assembled. At the last session of the General Assembly Joint Resolutions were adopted making it my duty, in the event of the election of a President by the Black Republican party of the United States, to issue

my proclamation to the qualified voters "to elect delegates to a convention of the State, to consider, determine and do whatever, in the opinion of said convention, the rights, interests and honor of the State of Alabama required to be done for their protection."

The result of the election, by the popular vote, clearly manifested the certainty of the election of their candidate by that party, and on the 6th day of December, 1860, he was elected by a majority of the electoral vote of the United States. The contingency provided for in the Joint Resolutions having occurred, I felt it my duty to obey their instructions at the earliest moment afterwards, and on the 7th day of December, 1860, issued my proclamation accordingly, and also issued to the Sheriffs of the several counties in the State, the necessary writs of election, to be held on the 24th day of December last.

Before this convention assembled, great and important changes had taken place in public affairs, and especially in some of the Southern States. South Carolina, acting under a sense of the common wrong and threatened danger to her sister slaveholding States, in the exercise of her sovereignty, in a convention of her people, on the 20th day of December, 1860, repealed the ordinance by which she ratified the Constitution of the United States, as the compact of Union between herself and the other States, and resumed all the powers which, by that compact, she delegated to the Government of the United States. Florida, Mississippi, Georgia, Texas and Louisiana, also called conventions of their people, to consider of the exigencies pressing upon them—and the two first have followed the example of South Carolina, and withdrawn from the union with the United States, and there can be no question that the others will do the same.

The action of the people of Alabama in their convention, in withdrawing from the Federal Union, is already known to you. This exercise of the sovereign power of the State, "to protect the rights, interests and honor" of her people, in my opinion, must be regarded as one of wisdom, and indeed of political necessity. The rights of the State, and the interests of her citizens, were no longer protected in the Union, and unless it was determined to abandon all hope of their preservation, no other resource was left than to withdraw from the Union, and throw off a government that failed to secure them.

Whatever differences of opinion may have existed as to the proper course of the State, it gives me pleasure to say

that I have the strongest assurances that they will all cease, and that all the citizens of the State, in obedience to this organic law of the sovereign power, will sacrifice their objections on the altar of their country, and with one heart, sustain the State in this great movement of deliverance and liberty. I believe it will require all the courage, fortitude and patriotism of her sons to meet and overcome the approaching storm; but I have an abiding confidence that they will prove themselves equal to the emergency, and deserving the great destiny that awaits them in the future. The events that occurred in the harbor of Charleston, after the secession of South Carolina, are matters of history. The accounts received from Washington, all tended to induce the conviction that the Government of the United States intended to adopt a system of coercion against all the States that might secede from the Union. Gov. Brown, of Georgia, acting upon this belief, seized upon Fort Pulaski, at the mouth of the Savannah river, in the name of the State of Georgia, and telegraphed me of that event. Satisfied that the State of Alabama would not remain in the Union, and in view of the indications of intention on the part of the Federal Government to coerce the seceding States, I could no longer hesitate as to the course my duty to the State required me to pursue. I could not wait until that Government had thrown troops into the Forts commanding the entrance into the harbor of Mobile, and thus place that city and the State at the mercy of the ships of war of the United States. To regain possession of these posts would have cost the State thousands of treasure, and the best blood of her sons. There were in the Arsenal of the United States, at Mount Vernon, on the Alabama river, a large supply of powder and small arms, which might be used against the State. Acting under these considerations, I transmitted orders by telegraph, on the night of — January, to ————, at Mobile, to take possession of Forts Morgan and Gaines, at the mouth of Mobile Harbor, and of the Arsenal at Mount Vernon, with all their arms, ammunition and equipments, and hold them in the name of the State of Alabama. It gives me pleasure and pride to make known the gallantry and promptitude with which this order was responded to, by the officers and men selected for that purpose. The dispatch was sent from this place at 9 A. M., and the Forts, forty miles from Mobile, were taken possession of on the next night; and the Arsenal, some fifty miles from Mobile, was seized about daylight next morning, and they are now held in the name of

this State, by her volunteer troops. In the Forts were some hundred cannon—thirty-two and twenty-four pound guns; and in the Arsenal about 22,000 stand of small arms, and one hundred and fifty thousand pounds of powder. Of the small arms, about two thousand were Mississippi rifles, and the remainder muskets. I directed the officers in command at these posts to make out an accurate inventory of the arms and materials thus obtained. As soon as I was informed that these posts were in the possession of the troops of the State, I communicated the facts to the President of the United States, with a summary of the reasons which induced my action, to which he has not replied. If more specific information of the arms and conditions of the Forts is desired, I will furnish it with pleasure.

Early in December last I was urged to convoke the Legislature for the purpose, among others, of authorizing the banks of the State to suspend specie payments, in order to relieve the community in their embarrassed condition. I declined, at that time, to do so, for the reasons stated by me in an address to the people of the State, a copy of which address is hereto attached; and to which I beg to call your attention. In view of the condition of the State, and the absolute necessity of her having money, on her secession—and which event I confidently anticipated—I made arrangements with the two banks in Mobile, the Commercial Bank at Selma, the Central Bank at Montgomery, and the Eastern Bank at Eufaula, that they should, if required by the Legislature, furnish to the State a loan of one million of dollars, in specie or its equivalent.

I requested and urged upon them to suspend payments of specie for the purpose of furnishing the sum designated to the State, and to relieve the community, as far as possible, by such assistance as they would then be able to give. This amount of one million is to be advanced by the several banks, in proportion to their respective capitals. The two banks at Mobile agreed to advance a proportional part of the above sum, but declined to suspend. The Commercial Bank, the Central Bank, and the Eastern Bank, agreed to advance their respective proportions, and suspended specie payments, upon my promise to institute no proceedings against them, and to urge upon the General Assembly the propriety of its sustaining such suspensions. The circumstances under which these latter banks acted, and the motives which prompted them, commend their conduct to the approval of every patriotic citizen of the State, and I earnest-

ly suggest that the Legislature, by legal enactments, sanction their suspension. I would further recommend that the other banks of the State be severally authorized to suspend on lending to the State in specie, or its equivalent, a sum in proportion to their respective capitals, of like amount with that agreed to be furnished by the first named banks, and to be secured in like manner.

In the important change of the condition of the State, other and more enlarged duties devolve upon you for consideration. From all the indications it is to be inferred that this State must maintain her sovereignty and independence by force of arms. The Government of the United States, in its infatuation, seems determined to use force against some or all of the seceding States. Alabama cannot expect to escape while her sister States are subjected to this last argument of Kings. Even if no hostile demonstration was made against her, it would not become her dignity or honor, or interest to stand by and see the power of the Government of the United States used to crush a single slaveholding State. The instincts of self-preservation would compel Alabama to aid such slaveholding State engaged in the same cause, and, having the same destiny, with all the means in her power. We desire peace with all the world, and especially with the Government of the United States and the other States composing the United States. To obtain permanent peace and security of our rights we withdraw from the Union; but the best way to obtain these is to be prepared for war, and, if the dread alternative is presented, not to shrink from the contest, but, meeting it as freemen, leave the consequences to that Being who holds in His hands alike the destiny of men and nations.

I would recommend, then, that the State of Alabama be placed, at as early a period as practicable, upon the most efficient war footing. The first requisites of this condition are, money, men and arms. I have already indicated that a loan of one million of dollars has been secured from the banks. I would recommend that you adopt the necessary steps to have this agreement consummated. I would further recommend that the State borrow another million of dollars, on her bonds in sums of five hundred and one thousand dollars each, bearing interest at eight per cent., with the interest payable annually, and to be sold within the State at par—the bonds payable in not less than ten years. I would also advise that executors, administrators, guardians, and all other trustees having trust funds to invest, be authorized to

invest such funds in these bonds. Not only will these securities be sought after for investment, but thousands of patriotic hearts, who have not the ability of the noble sons of South Carolina to make gratuitous contributions, will thus be enabled to throw in their mite for the support of the same glorious cause.

I would also suggest that the General Assembly make provision for raising, arming and officering a regular force of troops of the State, and adopt such army regulations therefor as may be necessary. The regulations for the army of the United States might form a basis for the system. Enlistments for twelve months, two years, or to the close of hostilities, might be adopted, to be ended when the necessity for their services shall cease. In the latter case it might be well to provide, when they are discharged, for a bounty to be paid them.

The mode of furnishing officers for such a force is one of some difficulty. Whether the commissioned officers should be selected by the men over whom they are to exercise command, or be appointed in some other way, I leave to the wisdom of your bodies. But I would recommend where companies, battalions or regiments, offer their services as such, to serve for the time specified in the regulations, that they be allowed to select their own commissioned officers.

In making this suggestion for a regular force, I am not to be understood as expressing a want of confidence in the patriotism of our militia, and especially the volunteers. Their bravery and patriotism have been too well established to entertain a doubt that they would acquit themselves, on all proper occasions, in such manner as to add increased honor to their achievements in the field. Experience has proved, that however efficient such troops are for sudden occasions or short campaigns, it will not do to rely upon them to sustain a long, protracted contest. The greatest difficulties experienced by General Washington in the Revolutionary war, and by General Jackson in his Creek campaigns, arose from the expiration of the term of service of the militia under their commands. Moreover, it is probable that the principal service demanded by the State from her troops will be in garrison, and he who has seen service of that character knows how tedious and irksome such a life is to the citizen soldier.

As to the various appropriations, and mode of disbursing the sums raised on the bonds of the State, I leave that to your consideration. In connection with the above subjects,

I cannot too earnestly impress upon you the importance of the appointment of a Military Board. With my inexperience in military affairs, and the inefficient military organization of the State, such a body is imperatively demanded in the present exigency. I am too sensible of my deficiency in military matters to make any suggestion as to the power and duties of such a board, but you have in your bodies military men who understand and can define the necessary extent of their powers. I would, however, recommend that it consist of four persons, to be selected by the Legislature, or in such other manner as may be deemed best by you, with such rank and pay as would be commensurate with their duties.

The condition of many families of the poorer classes in the State demand consideration. That there will be much suffering and privation, and perhaps starvation, is greatly to be feared, unless some provision against these contingencies is made by the Legislature. After an anxious consideration on this subject, I would recommend that the Court of County Commissioners of each county be empowered to levy and collect a tax, in their several counties, for the purpose of raising funds to purchase food for their suffering population, and to appoint an agent to make the purchases. If it is found this tax cannot be collected in time for the relief of the suffering, then to pledge the public property of the county by mortgage or otherwise, for money to be borrowed for that purpose. But in no event is this public property to be disposed of, under such mortgage or other pledge, until ample time has been given for the collection of such tax; and, when collected, it shall be applied to the extinguishment of such debt of the county. The details of this measure I leave to your consideration.

I am compelled by the necessities of this department to suggest that the Governor have the authority to appoint two Secretaries. The duties devolving upon the office, at this time, leave the Executive no leisure but to direct. The correspondence is voluminous, and the duty of attending to that office is arduous. They should be paid a salary by the State quarterly, with power in the Executive, at the end of any quarter, to discharge them when their services should be no longer needed; or, when he thought necessary, to discharge such as he thought proper and appoint others in their stead.

I am also compelled to call your attention to the increase of the contingent fund. Under ordinary circumstances the amount under the present law, at the control of the Execu-

tive, would be ample, but the present emergency requires that this sum of \$12,000 be increased, and I recommend that thirteen thousand dollars more be added, making this fund the sum of twenty-five thousand dollars.

At your last session the General Assembly made an appropriation for the purchase of arms and ammunition, under the direction of this department. I have purchased about nine thousand stand of small arms, ten brass rifled cannon (six pounders), and two Columbiads; twenty thousand pounds of lead, seven hundred kegs of powder, of twenty-eight pounds each, and one million five hundred thousand caps. The cannon have not yet arrived, but I am expecting them daily.

The convention, on the — inst., authorized me to dispatch troops from this State to aid the State of Florida in taking possession of the forts at the mouth of Pensacola harbor. Accordingly, on the — inst., I ordered three hundred men from Mobile by water, and dispatched five companies, under the command of Col. Lomax, by railroad from this place, to proceed to Pensacola. After the troops left here I received information that, on the night of the — inst., all the positions on the west side of Pensacola Bay were abandoned by the forces of the United States which had been concentrated at Fort Pickens on Santa Rosa Island. The occupation of this fort enables them to command the entrance to the bay and harbor of Pensacola; and, as the troops from Mobile were to approach by water, I directed them, by telegraph, to proceed no further in the expedition. The troops from this place arrived at Pensacola on the night of the — inst., and are now encamped there. If it should be deemed practicable they will aid in storming Fort Pickens, and, for that purpose, they remain there. I also had intelligence that a considerable force of ships of war and troops of the United States had been ordered to rendezvous at Pensacola, and probably to make a demonstration on the forts at the mouth of Mobile Bay or some other point in that vicinity. I therefore ordered five other companies to Mobile, to aid in defending whatever point may be assailed.

Your attention is called to the necessity of making some provision for the payment of the expenses of these expeditions.

In connection with the subject of placing the State in an efficient state to protect herself, I have a suggestion to make which I thought prudent to reserve for a separate and secret

communication, and which I am ready to make when your bodies are ready to receive it.

In closing this message I cannot but invoke the blessings of the Most High and Omniscient God upon all your deliberations, and that we may be saved from the horrors of war and enjoy the blessings of peace; that our liberties may be preserved, and that our beloved State may enjoy an uninterrupted career of prosperity and greatness.

A. B. MOORE.

EXECUTIVE DEPARTMENT, }
Montgomery, Ala., December 17, 1860. }

To the People of Alabama:

Strong appeals have been made to me, by many citizens from different sections of the State, to convene the Legislature for the purpose of providing the ways and means of protecting the interests and honor of the State in the impending crisis; and for the further purpose of authorizing the banks to suspend specie payments, to enable them to furnish greater facilities for moving the cotton crop, and thus relieve, to some extent, the embarrassed condition of the cotton market, and the people. These appeals were made by those whose opinions are entitled to the highest respect and are disconnected with the banks, either as directors or stockholders. After giving to the subject the fullest consideration, and viewing it in all its bearings, I determined not to convene the Legislature, for reasons which I will now give.

I did not doubt, and do not now, that the convention, to meet on the 7th January, will determine that Alabama shall withdraw from the present Union at an early day.

Should this contingency occur, it will be necessary forthwith to convene the Legislature, to provide for whatever the action of the convention may render necessary in the way of legislation. The imposition upon the State of the expense of the convention, and two extra sessions of the Legislature at this time, when economy is a matter of the highest consideration, ought to be avoided, if it could be done consistently with the public interests. If the Legislature could anticipate the action of the convention and provide for it, it would supersede the necessity of convening after the convention shall have acted; but this would be impossible.

It was my opinion that if I issued a proclamation calling an extra session of the Legislature, every one would believe that the object, in part, was to authorize the banks to sus-

pend specie payments. This would have caused an immediate run upon them, and would, in a great measure, have exhausted their specie and thus rendered them unable to aid the State in her emergency or relieve the people.

It appeared to me that these difficulties could be avoided by the banks and myself assuming responsibilities which never should be done under any other circumstances. I considered it a matter of the utmost importance that the specie in the vaults of the banks should be kept there, so far as it could be done, in order to aid the State in providing the means to sustain herself in the approaching crisis. It would be inexpedient at such a time to tax the people, and State bonds could not now be sold except at a great sacrifice. I considered it the duty of banks, upon whom extraordinary privileges had been conferred, to come to the aid of the State in her hour of need, and therefore determined to request them, at the same time, to suspend specie payments, and retain their specie for the benefit and security of the State, so far as might be necessary.

In this way a run upon the banks would be avoided, and they would remain in a condition to relieve the State from immediately taxing her people or selling bonds at a heavy discount, and render unnecessary an extra session of the Legislature before the meeting of the convention.

The extension of relief to the people in selling their cotton crops would follow as an incident. In consideration of the premises I addressed to each of the banks a letter, of which the following is a copy :

EXECUTIVE DEPARTMENT, }
Montgomery, Ala., December 4, 1860. }

*To the President and Directors of the
Central Bank of Alabama, Montgomery, Ala. :*

GENTLEMEN: The peculiar and extraordinary state of public affairs and the interest of the State make it a matter of State necessity to retain in the vaults of the banks all the gold and silver in their possession.

From present prospects there can scarcely be a doubt that Alabama will secede from the Union before the 4th day of March next. Should that contingency occur, it will be necessary for the State to raise not less than a million of dollars in specie or its equivalent. Under the circumstances which surround us we could not sell State bonds, either in the North or in Europe, except at a ruinous discount, and it would be inexpedient to tax the people immediately for that

purpose. How, then, can the State secure the money that may be necessary in her emergency?

But one practicable plan now presents itself to my mind, and that is, to call upon the banks of the State to come up to her aid. The course of events, and the suspension of the South Carolina and Georgia banks, will create more or less uneasiness in the minds of bill-holders, and will induce many of them to draw the specie from the banks to the extent of the notes they may hold, and thus render the banks unable to aid the State, as they otherwise could do.

I am strongly urged from various parts of the State to convene the Legislature, for the purpose of authorizing the banks to suspend specie payments, and thus enable them to retain their specie for the purpose suggested.

I have reflected much and anxiously upon the subject. I am satisfied, were I to convene the Legislature for the purpose stated, that it would produce a run on the banks, and, in a great measure, exhaust their specie and defeat the object I have in view.

With a view, then, of enabling the banks to retain their specie for the purpose aforesaid, I deem it my duty, under the circumstances, to advise and request them to suspend, all at the same time.

The high and patriotic motives which would induce the act would sustain the banks and me. There can be no doubt that the convention and legislature, soon to meet, will sustain and legalize the act. I will sanction it, and will institute no proceedings against them; and, in my message to the legislature and convention, will urge them to sanction the act, which I am sure they will do.

If need be, after the suspension, I will write an address to the people of the State, stating the facts and circumstances under which the step was taken. I am satisfied that the banks are in a sound condition and can maintain it through the present crisis, but it will render them unable to give the State that aid she will need.

I have written similar letters to all the banks. The contents of this communication are respectfully submitted to your consideration.

Very respectfully, your obedient servant,

A. B. MOORE.

At my suggestion and request, and for the purposes stated in my letter, the Commercial Bank at Selma, the Central Bank at Montgomery, and the Eastern Bank at Eufaula,

suspended this day. It is due to those banks that I should say (being advised of their condition) that they are able to sustain themselves through the crisis, and that they have taken this important step with the high and patriotic motive of sustaining the State, as shown by the response of each of them to my letter. Their letters are filed in my office, and would have been published but for the length they would give this communication.

There is no necessity for any depreciation in their notes, as there can be no question of their solvency.

The circumstances under which they have suspended should relieve them from any censure. If censure is to fall upon any one it should be upon me, and I rely for my justification upon the manifest propriety and necessity of the act as well as the motives which induced it. The Bank of Mobile and the Southern Bank of Alabama declined to suspend, but patriotically pledge themselves to raise their proportion of the amount suggested in my letter should there be a necessity for it. These two banks, being located in Mobile, can procure specie and exchange with more facility than the banks in the interior, and are not so liable to be prejudiced by the suspended banks of South Carolina and Georgia. Hence their ability to aid the State without suspending specie payments.

The Northern Bank at Huntsville also declines to suspend, on account of peculiar circumstances which surround it.

I have now briefly stated the circumstances and facts connected with the suspension of three of our banks, in accordance with the promise contained in my letter, and hope they will be satisfactory to the enlightened and patriotic people of Alabama, for whose benefit this great responsibility has been assumed.

A. B. MOORE.

Message from the House by Mr. Elmore :

HOUSE OF REPRESENTATIVES, }
January 14, 1861. }

The House of Representatives has adopted the following resolutions :

That the House is organized and is now ready to proceed to business.

That a committee of three be appointed by the House, to act with a like committee on the part of the Senate, to wait upon the Governor and inform him that the two houses have organized and are ready to proceed to business.

Messrs. Irby, Smith, of Lauderdale, and Overall compose the House committee.

ALBERT ELMORE,
Clerk House of Representatives.

The Senate resumed the consideration of the resolution offered by Mr. Walker.

The resolution was adopted.

On motion of Mr. Patton—

Resolved, That so much of the Governor's message as relates to the suspended banks, be referred to the committee on banks and banking.

That so much as has reference to the finances of the State, be referred to the committee on finances and taxation.

That so much as refers to the indigent suffering in the State, be referred to the committee on propositions and grievances.

That so much as relates to the military defences of the State, be referred to the committee on the military.

On motion by Mr. Felder—

Resolved, That a committee of three be appointed to inform the Governor that the Senate will forthwith receive in secret session any communication he may desire to make.

Messrs. Felder, McSpadden and Morgan were appointed the committee.

Mr. Patton introduced a bill to be entitled an act, to provide for the payment of the delegates and officers of the Convention of the people of Alabama, assembled at the capitol in Montgomery, on Monday the seventh day of January, 1861, which was read a first time and ordered to a second reading.

Mr. McIntyre introduced joint resolutions to establish a military commission and a manufactory of arms for the State of Alabama and other slaveholding States;

Which were read a first time and ordered to a second reading.

On motion by Mr. Bynum, the Senate adjourned until tomorrow 10 o'clock.

WEDNESDAY, January 16.

The Senate met pursuant to adjournment.

Mr. Horn asked leave to record his vote in the election for Assistant Secretary of the Senate, which was granted, whereupon he voted for Mr. Dixon.

Upon a call of the districts, the President, (Mr. Bullock in the chair) introduced a bill accompanied with a petition, to be entitled an act to prevent fish being taken with nets or seines in the Tennessee river and its tributaries, which was read twice and referred to the committee on propositions and grievances.

On motion by Mr. Cleveland—

Resolved, That the judiciary committee be instructed to report a bill for the purpose of postponing the sale of property under execution.

Message from the Governor by Mr. Phelan :

EXECUTIVE DEPARTMENT,
Montgomery, Ala., Jan. 16, 1861. }

Gentlemen of the Senate :

The subjects referred to in my general message, as being inconsistent with the public interest to be brought before you, *except* in secret session, have been acted on by the Convention and render it unnecessary for me to communicate them to you.

Very respectfully,

A. B. MOORE.

The Senate proceeded to the consideration of the general orders.

The bill to provide for the payment of the delegates and officers of the Convention of the people of Alabama, assembled at the capitol in Montgomery on Monday the 7th day of January, 1861, was read a second time.

Mr. McSpadden moved to refer the bill to the judiciary committee, which was lost. Yeas 11, nays 13.

Yeas—Messrs. President, Heflin, Fleming, Higgins, Hill, Jackson, McSpadden, Morgan, Slaton, Toulmin and Walker.

Nays—Messrs. Austin, Brewer, Bullock, Bynum, Cleveland, Griffin, Horn, McIntyre, Mitchell, Patton, Rowe, Wood and Woodward.

Mr. Walker moved to amend as follows: Strike out of section 2d the words, "to be made to certain railroad companies by an act to loan and appropriate the three per cent. fund and its interest," approved February 18th, 1860, and insert instead the words, "to provide for an efficient military organization of the State of Alabama," approved February 24th, 1860.

On motion by Mr. Bynum, the amendment was laid on the table. Yeas 16 and nays 9.

Yeas—Messrs. President, Austin, Bullock, Bynum, Cleveland, Fleming, Griffin, Heflin, Horn, Jones of Fayette, McIntyre, Mitchel, Patton, Rowe, Wood and Woodward.

Nays—Messrs. Brewer, Higgins, Hill, Jackson, McSpadden, Morgan, Slaton, Toulmin and Walker.

Mr. Brewer moved to fill the blank in the first section, between the words "of" and "thousand" with the word thirty, which was carried.

Mr. Walker moved to amend as follows: Strike out of section 2d the words, "to be made to certain railroad companies, by an act entitled an act, to loan and appropriate the three per cent. fund and its interest," approved February 18th, 1860, and insert instead the words, "to make an appropriation to supply the Insane Hospital with furniture and to prepare it for the reception and treatment of patients," approved February 21st, 1860.

On motion by Mr. Jones, of Fayette, the amendment was laid on the table.

On motion by Mr. McIntyre, the bill was referred to a select committee of five, with instructions to inquire and report on to-morrow at 11 o'clock, whether there be any funds in the treasury appropriated heretofore, which can be conveniently appropriated to the objects of this bill without embarrassments to the objects of the original appropriation, what particular funds, and the amounts thereof respectively.

Messrs. McIntyre, Walker, Patton, Jackson and McSpadden were appointed the committee.

The joint resolutions to establish a military commission and a manufactory of arms for the State of Alabama and other slaveholding States, was read a second time and referred to the committee on the military.

On motion by Mr. Rowe, the Senate then adjourned until 10 o'clock to-morrow.

THURSDAY, January 17th, 1861.

The Senate met pursuant to adjournment.

Upon the call of the districts, the following bills were introduced:

Mr. Cleveland: A bill to donate to the State the moneys that will be due the members of the Legislature for mileage and per diem at the present session.

Mr. Jackson: A bill for the relief of the children of Gabriel Whorton Long.

Which were severally read twice and referred to the judiciary committee.

Mr. Rowe: A bill to extend the time for making payment of taxes into the State Treasury.

Which was read twice and referred to the committee on finances and taxation.

Mr. Jones, of Fayette: A bill to change the time of holding the circuit court in the county of Marion.

Which was read three times forthwith and passed.

Mr. Jackson: A petition accompanied with a bill to compensate Wm. S. Gray for apprehending a person therein named, charged with a felony.

Which was read twice and referred to the committee on accounts and claims.

On motion by Mr. Morgan—

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of requiring free persons of color to leave the State.

Mr. Rowe introduced the following rule which lies over one day:

Smoking shall not be allowed in the Senate chamber during the time the Senate is in session.

On motion by Mr. Rowe—

Resolved, That his excellency the Governor be requested to transmit to the Senate, a copy of all military orders issued by him, or by his orders, since the 20th day of December, which in his judgment is not incompatible with the public interest.

On motion by Mr. Toulmin—

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of passing a law for the relief of the officers and men which now, or may hereafter be in the military service of the State of Alabama, by providing that no levy or sale shall be made on the property or effects of any man, &c., in the military service of the State for the period of six months, or until the expiration of thirty days after the term for which the debtor, or debtors may have expired, and report by bill or otherwise.

On motion by Mr. Cleveland the Senate adjourned till tomorrow 10 o'clock.

FRIDAY, January 18.

The Senate met pursuant to adjournment.

Mr. President announced that he had appointed Mr. Morgan to fill the places upon the committees of the Senate which his predecessor Mr. Nelson had filled at the last regular session of the Senate.

Also, that Mr. McSpadden would occupy the same position upon the committees that he held at the last regular session.

On motion by Mr. Bullock, leave of absence was granted to Mr. Brewer.

Mr. Toulmin, from the committee on propositions and grievances to whom was referred the bill to prevent fish being taken with nets or seines in the Tennessee river and its tributaries, report favorably thereon.

The report was concurred in and the bill read a third time and passed.

Mr. Patton, from the committee on banks and banking, to whom was referred the resolutions instructing said committee to report a bill at the earliest day possible to authorize the tax collectors of each county in the State, to receive in payment of taxes the notes of the several banks of this State which have suspended specie payment, and to extend the time for returns to be made by the tax collectors to (60) sixty days beyond the time now prescribed by law, reported the following bill and recommended its passage :

To extend the time for the payment of State taxes into the treasury and for other purposes, which was read a first time and ordered to a second reading.

By leave, Mr. Cocke introduced a bill to provide the means of relief against the effects of the short crops raised in the State of Alabama in the year 1860.

The bill was read. Mr. Cocke moved to dispense with the rule, to give it a second reading forthwith, which was lost.

The bill was ordered to a second reading.

On motion by Mr. Bullock—

Resolved, By the General Assembly, (the House of Representatives concurring,) that the Convention be requested to appoint a committee to confer with a joint committee of the two Houses, for the purpose of ascertaining and fixing the respective duties of the said Convention and the General Assembly, in regard to the legislation immediately required by the exigencies of the State.

Ordered to be sent forthwith to the House.

Messrs. Bullock, Calhoun and Patton, were appointed the committee.

Mr. McIntyre, from the select committee to whom was referred the bill to provide for the payment of the delegates and officers of the Convention of the people of Alabama assembled at the capitol in Montgomery on Monday the 7th day of January, 1861, reported a substitute therefor, which was adopted.

On motion by Mr. Bullock, the bill and report were laid on the table.

By leave, Mr. McIntyre withdrew the substitute.

Message from the House by Mr. Elmore:

HOUSE OF REPRESENTATIVES, January 17, 1861.

Mr. President: I am instructed to communicate to the Senate the following resolutions, adopted unanimously by the House:

WHEREAS: This House has learned with regret that since the adjournment of the regular session of this General Assembly, the Hon. Dozier Thornton, a member of this House, from the county of Cherokee, has departed this life.

Be it therefore Resolved, That in the death of the Hon. Dozier Thornton, the State has lost a most valuable citizen, and the members of this body deprived of the association and services of a useful member and companion.

Resolved, That we sympathize with the surviving relatives and friends of the deceased in their bereavement.

Resolved, That as a testimony of our respect for his memory, the members and officers of this body will wear the usual badge of mourning for thirty days.

Resolved, That this preamble and these resolutions be spread upon the journal, and that they be communicated to the Senate.

The House has also originated and passed bills of the following titles:

To repeal an act therein named relating to public roads in Marengo county;

For the relief of the heirs of Narcissa J. Burke, late of Tallapoosa county;

For the relief of the late Sheriff of Tuscaloosa county;

To authorize the Governor to employ two secretaries.

ALBERT ELMORE,
Clerk of the House of Representatives.

The Senate proceeded to the consideration of the messages from the House.

The Senate concurred unanimously in the resolutions of the House, in respect to the death of the Hon. Dozier Thornton, late a member of that body, from the county of Cherokee.

The House bill, to authorize the Governor to employ two secretaries, was read three times forthwith and passed.

The House bill for the relief of the late Sheriff of Tusca-

loosa county, was read twice, and referred to the committee on accounts and claims.

The House bill to repeal an act therein named, in relation to the road laws in Marengo county, was read twice and referred to the committee on roads, bridges and ferries.

The bill for the relief of the heirs of Narcissa J. Burke, late of Tallapoosa county, was read three several times forthwith and passed.

Mr. Morgan introduced a bill to establish an armory in the State of Alabama, which was read a first time and ordered to a second reading.

Message from the House, by Mr. Elmore:

HOUSE OF REPRESENTATIVES, January 18.

Mr. President: The House of Representatives concurs in the joint resolutions of the Senate, that the Convention be requested to appoint a committee to confer with a joint committee of the two Houses, for the purpose of ascertaining and fixing the respective duties of the said Convention and the General Assembly in regard to the legislation immediately required by the exigencies of the State.

Messrs. Rice, Hubbard and Parsons compose the committee on the part of the House.

ALBERT ELMORE, Clerk.

On motion by Mr. Bynum, the Senate adjourned until tomorrow, 10 o'clock.

SATURDAY, January 19.

The Senate met pursuant to adjournment.

On motion by Mr. Jackson, leave of absence was granted Mr. Morgan.

Upon a call of the districts the following bills and petitions were introduced:

Mr. Bullock: A bill to amend an act to regulate the agencies of insurances not incorporated by the State of Alabama, approved February 24, 1860,

Which was read twice and referred to the committee on finance and taxation.

Mr. Calhoun presented the petition of Nancy Ratcliff and others of Wilcox county.

Mr. Woodward: The petition of the legatees of the estate of Joseph Kemp, deceased,

Which were severally referred to the judiciary committee.

Mr. Bullock, from the judiciary committee, to whom was

referred the bill for the relief of the children of Gabriel Wharton Long, reported favorably thereon.

The report was concurred in. The bill was read three times and passed.

Mr. Bullock, from the same committee, to whom was referred the bill to donate the moneys that will be due the members of the Legislature for mileage and per diem at the present session, reported a substitute therefor.

Substitute adopted.

The question being on ordering the bill to a third reading, was lost. Yeas 6—Nays 14.

YEAS—Messrs. Bullock, Cleveland, Hill, Patton, Walker, and Wood—6.

NAYS—Messrs. President, Austin, Bynum, Calhoun, Fleming, Heflin, Higgins, Horne, Jackson, McSpadden, Mitchell, Slaton, Toulmin, and Woodward—14.

On motion by Mr. Fleming—

Resolved, That a committee be appointed to attend this day on examination and test of the arms purchased by order of the Governor, and report to this House accordingly.

Messrs. Bynum, Horne and Calhoun were appointed the committee.

The bill to extend the time for the payment of State taxes into the treasury and for other purposes, was read the second time and referred to the committee on banks and banking.

A message from the House, by Mr. Brewer:

HOUSE OF REPRESENTATIVES, January 19, 1861.

Mr. President: The House has originated and passed bills of the following titles:

To repeal an act therein named, relating to steam mills in Jackson county;

To amend an act for the preservation of game in the county of Sumter;

To repeal an act, approved December 3d, 1857;

To authorize the clerks of the lower courts to issue execution for the costs in appeal cases;

To amend an act in relation to hunting wild hogs in the county of Butler and other counties;

An act for the relief of John Owens and Daniel Freeman of Jackson county;

To raise money to provide for the military defence of the State of Alabama.

ALBERT ELMORE, Clerk.

A message from his Excellency the Governor, by Mr. Phelan, his private secretary :

EXECUTIVE DEPARTMENT,
MONTGOMERY, January 18, 1861. }

Hon. John D. Rather,

President of the Senate :

SIR: In obedience to a resolution of the Senate, I herewith transmit the several military orders issued by me from this department in regard to the forts and arsenal in Alabama, and to the expedition to Pensacola, the latter being done under resolution of the Convention of the State of Alabama.

The orders in reference to taking the forts and arsenal at Mobile were made upon my own responsibility, and all the companies were discharged, except a sufficient force to maintain the positions thus taken after they were secured.

Receiving information not now proper to be disclosed, I ordered six companies to Mobile from the interior to protect the forts. Upon their arrival, two of the companies who had been stationed at Fort Morgan since its seizure were discharged.

In consequence of five hundred volunteers being sent from Mississippi to Pensacola, having made up about two hundred and fifty of the men intended to be sent from Mobile, I have ordered four other companies to Pensacola from the interior, which constitutes about the number of five hundred men ordered under the resolution of the Convention. It will be seen from the orders, that several companies were ordered to rendezvous at this place for the purpose of marching to Pensacola at a moments warning. These orders were made in consequence of receiving dispatches from Pensacola and other places, showing the necessity of the moment. Having received other information not now proper to be disclosed, these orders have been countermanded.

In all I have done, I have had due regard to the public safety and economy.

I trust that the securing of the forts and arsenal with a very large amount of arms, amunition, &c., and the probable prevention of a large expenditure of money and blood under the circumstances, will be a sufficient justification of my acts in taking and securing them without the authority of law.

Respectfully,

A. B. MOORE.

The message and accompanying orders were referred to the military committee.

Mr. Calhoun, from the committee on finance and taxation asked leave to be discharged from the further consideration of the bill to extend the time for making payment of taxes into the State Treasury, which was granted, and the bill referred to the committee on banks and banking.

The bill to establish an armory in the State of Alabama, was read a second time and referred to the military committee.

On motion by Mr. Calhoun, the committee known and designated as the committee on federal relations, was changed to that of foreign relations.

The bill to provide the means of relief against the effects of the short crops raised in the State of Alabama in the year 1860, was read a second time and referred to the committee on propositions and grievances.

The House bills for the relief of John Owens and Daniel Freeman of Jackson county.

To amend an act in relation to hunting wild hogs in the county of Butler and other counties, approved February 21, 1860.

To authorize the clerks of the lower courts to issue execution for their costs in appeal cases.

To amend an act for the preservation of game in the county of Sumter.

To repeal an act therein named, relating to steam mills, in Jackson county, were severally read a first time and ordered to a second reading.

The House bill to raise money for the military defence of the State of Alabama was read twice.

Mr. Bullock moved to amend as follows: "Strike out 'assignment, in the 2d section, and insert 'delivery.'"

The bill and amendment were referred to the committee on Finance and Taxation.

The House bill to repeal an act approved December 3d, 1857, was read three several times forthwith, and passed.

Mr. Woodward, from the Committee on Roads, Bridges and Ferries, reported favorably on the bill.

To repeal an act therein named relating to public roads in Maringo county.

The bill was read a third time and passed.

Mr. Rowe introduced Joint Resolutions in relation to the present crisis in public affairs, which were read twice and referred to the Committee on Foreign Relations.

On motion by Mr. Bullock, leave of absence was granted Mr. Dixon, the Assistant Secretary, until Monday next, 12 o'clock.

On motion by Mr. Jackson, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, January 21st.

The Senate met pursuant to adjournment.

Mr. Ligon, the Senator elect from the county of Macon, to fill the vacancy occasioned by the resignation of Mr. Chilton, appeared in the Senate, was qualified and took his seat.

Mr. President announced that Mr. Ligon would take the position upon the Committees that were occupied by his predecessor, Mr. Chilton.

Mr. Bullock presented a petition and counter petition from sundry citizens of Barbour county, near Pine Grove Church, which was referred to the Committee on Corporations.

Mr. McSpadden introduced a bill to provide for the extension of the debts due the sixteenth sections, which was read twice and referred to the Committee on Sixteenth Sections.

The House bill to repeal an act therein named, relating to steam mills in Jackson county, was read a second time and ordered to a third reading.

The House bill to amend an act for the preservation of game, in the county of Sumter, was read a second and third time and passed.

The House bill to authorize the Clerks of the lower Courts to issue executions for their costs in appeal cases, was read a second time and referred to the Judiciary Committee.

The House bill to amend an act in relation to hunting wild hogs in the county of Butler and other counties, approved February 21, 1860, was read a second time.

Mr. Cocke moved to amend by adding the counties of Bibb, Perry, Talladega and Jackson, which was adopted.

Mr. Bynum moved to refer the bill to the Committee on Propositions and Grievances, which was lost.

Mr. Bynum moved to add the counties of Walker and Winston.

Mr. Cleveland, the county of Clarke.

Mr. Wood, the county of Henry.

Mr. Woodward, the county of Choctaw.

Mr. Fleming, the county of Madison.

All of which were adopted, and,

On motion by Mr. Cocke, the bill was laid on the table.

The House bill for the relief of John Owens and Daniel

Freeman was read a second time and ordered to a third reading.

On motion of Mr. Cocke—

Resolved, That the Judiciary Committee be, and is hereby instructed to report a bill, to prevent the hunting of wild hogs in this State, with such limitations, restrictions and penalties as provided in a bill for certain counties in this State, approved February 21, 1860.

Mr. Felder introduced a bill to amend the charter of the City of Montgomery, which was read three several times forthwith and passed.

Message from the House by Mr. Brewer:

HOUSE OF REPRESENTATIVES,
January 21st, 1861. }

MR. PRESIDENT: The House has originated and passed the following bills:

To divorce Elijah Moncrieff from Elizabeth Moncrieff, and to divorce other persons therein named.

To repeal in part section 2398 of the Code, so far as the same relates to townships.

To authorize an extension of the 16th section notes.

To authorize the payment of taxes in bills of the chartered banks of this State.

To give the Judge of Probate of Dallas county jurisdiction over the estate of Robert Craig, deceased, late of Sumter county.

To authorize Talbot Adams and Andrew Lyon to construct gates across the Vienna and Cooksville road, in Pickens county.

To declare Abner Hill a liner between the counties of Pike and Montgomery.

The House has passed the following Senate bill:

To change the time of holding the Circuit Court in the county of Marion.

ALBERT ELMORE, Clerk.

The House bill to guard the State from invasion by sea was read twice,

Mr. Toulmin moved to amend as follows:

Strike out all after the enacting clause in the first section, and insert in lieu thereof the following:

That any Pilot, or Branch Pilot, holding a license under the laws of this State, or any other resident or inhabitant of this State, who shall, after the 1st day of February, 1861,

conduct any foreign armed vessel into the Port, Bay, or Harbor of Mobile, shall be subject to indictment in the City, or Circuit Court of Mobile county, and upon conviction, shall be fined not less than one thousand dollars, and imprisonment five years in the Penitentiary: Provided, however, that the officer who may be in command of Fort Morgan, under the authority of the Governor of this State, shall have the power to authorize any licensed pilot to bring or conduct any foreign armed vessel under the guns of said fort, or into the port, bay, or harbor of Mobile, whenever such commanding officer may deem it prudent.

And be it further provided, That the Governor of this State shall have the power to suspend the operation of this section whenever he may deem it advisable.

The amendment was adopted.

Mr. Calhoun moved to amend the amendment as follows: Insert, after the word "Penitentiary," in the 12th line, the following: "Or shall suffer death, in the discretion of the jury trying the cause;" which was adopted.

Mr. Toulman moved to amend as follows: At the end of Section 2d, add the following: "Including the buoy at the outer bar of the bay;" which was adopted.

The bill was read a third time forthwith and passed.

Ordered forthwith to the House.

Mr. Bynum offered the following resolution:

Resolved, (the House of Representatives concurring,) That the House will adjourn *sine die* at 12 o'clock, M., on Saturday, the 26th inst., which was adopted.

Mr. Patton moved to reconsider the vote just taken, which was adopted.

On motion of Mr. Bullock, the further consideration of the resolution was postponed till Friday next, and made the special order for the hour of 12 o'clock, M.

The House bill to divorce Elijah Moncrief from Elizabeth Moncrief and to divorce other persons therein named, was read first, second and third time and lost.

On motion by Mr. Hill, the vote just taken was reconsidered and the bill laid on the table.

On motion by Mr. Cleveland, the bill was taken from the table and passed by a Constitutional majority.

The House bills, to declare Abner Hill a liner between the counties of Pike and Montgomery.

To repeal, in part, Section 2398 of the Code, so far as the same relates to townships, were severally read a first time and ordered to a second reading.

The House bills, to authorize the extension of 16th section notes was read twice and referred to the committee on Sixteenth Sections.

To authorize the payment of taxes in bills of the chartered banks of this State, was read twice and referred to the Committee on Banks and Banking.

To give the Judge of Probate of Dallas County jurisdiction over the estate of Robert Craig, dec'd, late of Sumter county, was read twice and referred to the Judiciary Committee.

To authorize Talbot Adams and Andrew Lyon to construct gates across the Vienna and Cooksville road in Pickens county, was read twice and referred to the committee on Roads, Bridges and Ferries, with instructions to report a general bill of a like character.

Message from the House, by Mr. Brewer:

HOUSE OF REPRESENTATIVES, January 21.

Mr. President: The House concurs in the amendments made by the Senate to the House bill, to guard the State from invasion by sea.

On motion by Mr. Woodward—

Resolved, That with the concurrence of the House, the two houses meet in convention, in the hall of the House, on Thursday, the 24th inst., at 12 o'clock M., for the purpose of electing a chancellor for the southern chancery division, and also for the purpose of electing a solicitor for the seventh judicial circuit of the State.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, January 22.

The Senate met pursuant to adjournment.

Mr. Griffin presented the petition of Jonathan Cooper, of Russell county, which was referred to the committee on propositions and grievances.

Mr. Jackson introduced a bill to repeal, in part, the second section of an act therein named, which was read three times forthwith and passed.

Mr. Bullock, from the judiciary committee, who had been instructed to report a bill for the purpose of postponing the sale of property under execution, reported that some of the committee are wholly opposed to the objects of the bill, but the resolution of the Senate having left them no discretion

except as to its details, they concur in the opinion that the bill herewith reported is, perhaps, as free from objection as any likely to be agreed upon. He reported the following bill:

A bill to be entitled an act to amend the law in relation to proceedings in courts of justice in this State and for other purposes, which was read twice.

On motion by Mr. Felder, the bill was laid on the table, and one hundred and thirty-three copies ordered to be printed.

Mr. Patton, from the committee on banks and banking, to whom was referred the two bills to extend the time for making payment of taxes into the State Treasury and for other purposes, reported a substitute therefor, which was adopted, and the bill read a third time and passed. Ordered forthwith to the House.

Mr. McSpadden, from the committee on the judiciary, to whom was referred the resolution to enquire into the expediency of requiring free persons of color to leave the State, reported the following bill, in accordance with the resolution:

A bill to dispose of the free negroes in the State of Alabama, which was read twice.

Mr. Toulman moved to amend as follows:

Provided, That the provisions of this bill shall not apply to that class of colored persons or their descendants who were included in, and protected by, the treaty between the United States and Spain, by which Mobile was ceded to the United States.

The amendment was adopted.

Mr. Calhoun moved to amend as follows:

Be it further enacted, That Ann Mason, a free woman of color, of Wilcox county, and her children, Caroline, Aleck, Bill, Tassa, John, Henry, Wade, Rufus, Tom, Alfred, Dick; and the children of said Caroline, viz: Joe, Amanda, Elizabeth, Julia and Ben; and the children of said Tassa, named Wash, Stuart, and Rebecca; be considered as having chosen for their owner Mrs. Nancy Ratcliff, of Wilcox county, in case they should refuse to remove from the State, under the provisions of this act, and they shall become the slaves of said Nancy Ratcliff upon the terms contained in this act, except that said Nancy Ratcliff shall not be required to pay more than the one-half of the assessed value of said negroes as herein provided for.

The amendment was adopted and the bill ordered to a third reading. Yeas 19—Nays 5.

YEAS—Messrs. President, Austin, Bullock, Burnett, Calhoun, Cocke, Felder, Fleming, Heflin, Hill, Horn, Lyon, McSpadden, Mitchell, Rowe, Slaton, Toulmin, Wood, and Woodward—19.

NAYS—Messrs. Bynum, Griffin, Higgins, Jackson, and Patton—5.

Mr. Burnett, from the committee on enrolled bills, reported as correctly enrolled the bill to change the time of holding the circuit court in the county of Marion.

Message from the House, by Mr. Brewer:

HOUSE OF REPRESENTATIVES, January 22.

Mr. President: The House has originated and passed bills of the following titles:

To divorce Arthur Beardin from his wife Nancy A. Beardin, and to divorce other persons therein named;

To prevent the sale of spirituous or intoxicating liquors within three miles of Moore's Bridge P. O. in the county of Tuscaloosa, and Dublin Academy in Bibb county;

To authorize magistrates in Beat No. 4, Montgomery county, to appoint special constables in said beat;

To repeal section 6 of an act approved February 21, 1860;

To authorize John Cocke, administrator of the estate of Wm. T. Cheney, deceased, to make complete payment for certain lands therein named and a patent to issue therefor;

To authorize the owners of steam grist mills in the county of Sumter, to take the sixth as toll for grinding;

To divorce Rachel H. Weathers from Francis T. Weathers, and other persons therein named;

To prohibit the sale of spirituous or intoxicating liquors within one mile of Dublin Precinct, in Perry county, and Spring Hill Academy, or Spring Hill Church in Pickens county.

The House of Representatives has adopted the following resolutions:

Resolved, That a committee of three be appointed by the House to act with a committee of like number appointed by the Senate, whose duty it shall be to ascertain and report as early as practicable the condition of the Central, Commercial and Eastern Bank of Alabama, and that said joint committee may, if it is deemed necessary, send two of its members to each of said banks to examine their assets and liabilities.

Messrs. Whitfield, Scott and Mabry composed the committee on the part of the House.

ALBERT ELMORE, Clerk.

The Senate concurred in the above resolution of the House, and Mr. President appointed Messrs. Patton, Calhoun and Toulmin as the committee on the part of the Senate.

The House bill for the relief of John Owens and Daniel Freeman of Jackson, was read a third time and passed.

The House bills to prevent the sale of spirituous or intoxicating liquors within three miles of Moore's Bridge Post-office, in the county of Tuscaloosa, and Dublin Academy, in Bibb county ;

To repeal section 6 of an act approved February 21, 1860 ;

To authorize the owners of steam grist mills in the county of Sumter to take the sixth as toll for grinding ;

Were severally read three several times forthwith and passed.

The House bills to authorize magistrates in Boat No. 4, Montgomery county, to appoint special constables in said Beat, was read a first time, and ordered to a second reading.

The House bill to declare Abner Hill a liner between the counties of Pike and Montgomery was read a second time, and referred to the Committee on County Boundaries.

The House bill to repeal an act therein named, relating to steam mills in Jackson county, was read a third time and passed.

The House bills to repeal in part section 2398 of the Code, so far as the same relates to townships ;

To authorize John Cocke, Administrator of the Estate of Wm. T. Cheeney, deceased, to make complete payment for certain lands therein named, and a patent to issue therefor, were severally read a second time, and referred to the Committee on Sixteenth Sections.

The House bills to divorce Arthur Beardin from his wife, Nancy A. Beardin, and to divorce other persons therein named ;

To divorce Rachel H. Weathers from Francis T. Weathers, and other persons therein named ;

Were read twice, and referred to the Committee on Divorce and Alimony.

The House bill to prohibit the sale of spirituous and intoxicating liquors within one mile of Dublin Precinct, in

Perry county, and Spring Hill Academy or Spring Hill Church, in Pickens county, was read a first, second and third time forthwith, and passed.

Mr. Jemison, from the Committee on Finance and Taxation, to whom was referred the House bill to raise money to provide for the military defence of the State of Alabama, reported favorably thereon, with the following amendments:

Amendment 1st. In section 2 strike out the word "assignments," and insert delivery, which was adopted;

Amendment 2d. In section 3 strike out the words after "provided" in the fourth line down to "and" in sixth line;

As an additional section,

Sec. 4 Be it further enacted, That all bonds purchased under the provisions of the preceding section shall be credited to the executor, trustee, or guardian, at the amount actually and *bona fide* paid for any such bond or bonds, and that all bonds so purchased as an investment shall at the time be specially endorsed to the executor, administrator, trustee or guardian, purchasing the same in his representative capacity, and make returns thereof within ten days to the judge of probate or chancellor having jurisdiction of the particular fund.

Mr. Felder moved to amend this amendment as follows: "but such special endorsement shall not bind the person selling for the ultimate payment of said bond, or any interest thereon," which was adopted, and the amendment as amended was adopted.

Amendment 3d. In section 4 strike out the word "immediately," and insert "from time to time," and after the word "sell" insert the words "such an amount as may be required for the public service," which was adopted.

Mr. McSpadden moved to amend as follows: at the end of section 3d add the following proviso: "Provided, that no guardian shall make any investment in said bonds until by an order of the Court of Probate granting him letters; he shall be so authorized to do."

On motion by Mr. Bynum, the further consideration of the bill was postponed until to-morrow at 11 o'clock, and made the special order of that hour.

Mr. Bynum introduced a bill to amend an act entitled an act to lay off and divide the State of Alabama into eleven Judicial Circuits, approved January 25, 1860, so far as the same applies to the Fourth Judicial Circuit.

Which was read twice and referred to a select committee composed of the Senators from the 4th Judicial Circuit.

Mr. Toulmin introduced a bill for the relief of George G. Henry of Mobile county; which was read twice and referred to the Committee on Propositions and Grievances.

Mr. Bynum introduced a bill to remove the administration of the estate of Thomas Green from the county of Winston to the county of Lawrence in this State; which was read three several times and passed.

Mr. Jemison introduced a bill supplemental to an act to establish a hospital for insane persons in Alabama; which was read twice and referred to a select committee composed of Messrs. Jemison, Mitchell and Walker.

On motion by Mr. Bynum, the Senate adjourned until tomorrow at 10 o'clock.

WEDNESDAY, January 23, 1861.

On motion by Mr. Cocke, the vote by which the bill to prohibit the sale of spirituous or intoxicating liquors within one mile of Dublin precinct in Perry county, and Spring Hill Academy or Spring Hill Church in Pickens county, was passed, was reconsidered, as also the vote on ordering the bill to a third reading.

Mr. Cocke moved to amend by striking out the word "precinct" in the first section; which was adopted and the bill read a third time and passed.

Mr. Morgan introduced a bill to revive and amend the charter and change the name of the South Alabama Mining, Manufacturing and Transportation Company; which was read twice and referred to the Committee on Internal Improvements.

Mr. Bullock, from the Judiciary Committee, reported favorably on the bill to give the Judge of Probate of Dallas county jurisdiction over the estate of Robert Craig, deceased, of Sumter county.

The bill was read a third time and passed.

Mr. Calhoun, from the Committee on Foreign Relations, to whom was referred the joint resolutions in relation to the present crisis in public affairs, reported a substitute therefor; which was adopted, and the resolutions were read a third time and passed unanimously—Yeas 24.

YEAS—Messrs. President, Austin, Brewer, Bullock, Bynum, Calhoun, Cleaveland, Cocke, Felder, Griffin, Heflin, Hill, Horn, Jackson, Jemison, Ligon, McIntyre, McSpadden, Mitchell, Morgan, Patton, Rowe, Stone, Toulmin, Walker, Wood and Woodward.

Mr. Bullock, from the Judiciary Committee, reported fa-

vorably on the bill to authorize the Clerks of the lower Courts to issue executions for their costs in appeal cases.

The bill was ordered to a third reading.

Mr. Woodward, from the Committee on Roads, Bridges and Ferries, reported favorably on the bill to authorize Talbot Adams and Andrew Lyon to construct gates across Vienna and Cooksville road in Pickens county, with an amendment; which was adopted and the bill read a third time and passed.

The hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the bill to raise money to provide for the military defense of the State of Alabama.

The question being on the adoption of the amendment offered by Mr. McSpadden,

Mr. Cocke moved to amend the amendment as follows, by way of substitute:

That no guardian or trustee shall be allowed to invest the funds of his or her ward, under the provisions of this act, after such ward or wards shall have attained the age of twelve years, before first obtaining the consent of the Court of Probate for the county having jurisdiction of the same; which was lost.

Mr. McIntyre moved to amend as follows, by way of substitute:

Section 9. Be it further enacted, That no executor, administrator, guardian or trustee shall invest the funds in his hands, subject to his trust as such executor, administrator, guardian or trustee, in said bonds without the order of the Probate or Chancery Court having jurisdiction of said trust: Provided, that an application may be made to the Registers in Chancery in vacation, or the Chancellor in term time, that no notice shall be required, except to a guardian *ad litem*, who shall be appointed in case of each application, and shall have at least five days' notice in writing of the time and place set for the hearing of the petition, and shall in every case appear and deny the allegations thereof in writing signed by him, and requiring strict proof of the truth of the same; provided further, that every such application shall be verified by affidavit of the petitioners, shall give an orderly and succinct statement of the facts on which it is based, and shall be sustained by the evidence of at least one creditable witness to the truth of the same, to be reduced to writing and filed with the papers; which was lost.

The amendment offered by Mr. McSpadden was adopted. Yeas 14, nays 10.

YEAS—Messrs. President, Bynum, Cocke, Felder, Fleming, Griffin, Heflin, Horn, Jackson, Ligon, McIntyre, McSpadden, Morgan and Toulmin.

NAYS—Messrs. Austin, Bullock, Calhoun, Cleaveland, Hill, Mitchell, Patton, Rowe, Wood and Woodward.

Mr. President (Mr. Bullock in the Chair) moved to strike out the third and fourth sections of the bill; which was lost.

Mr. McIntyre moved to postpone the further consideration of the bill until Saturday, and have 133 copies printed, which was lost.

The bill was read a third time and passed. Ordered to the House forthwith.

The bill to dispose of the free negroes in the State of Alabama was read a third time.

Mr. McIntyre moved to amend, by engrossed ryder, as follows:

Insert in the 10th line of the 4th section between the words "for" and "the" the words "one-half." In the 13th section strike out the words "one-half," and insert the words "one-fourth."

The engrossed ryder was read three times and passed. Yeas 17, nays 8.

YEAS—Messrs. President, Bullock, Bynum, Calhoun, Cocke, Felder, Griffin, Hill, Horn, Jackson, Ligon, McIntyre, Patton, Rowe, Toulmin, Wood and Woodward.

NAYS—Messrs. Austin, Cleaveland, Fleming, McSpadden, Mitchell, Morgan and Walker.

Mr. Woodward moved to indefinitely postpone the consideration of the bill; which was lost—Yeas 10, nays 15.

YEAS—Messrs. President, Bynum, Griffin, Heflin, Hill, Jackson, Patton, Toulmin, Wood and Woodward.

NAYS—Messrs. Austin, Bullock, Calhoun, Cleaveland, Cocke, Felder, Fleming, Horn, Ligon, McIntyre, McSpadden, Mitchell, Morgan, Rowe and Walker.

The bill was passed—Yeas 14, nays 11.

YEAS—Messrs. Austin, Bullock, Calhoun, Cleaveland, Cocke, Felder, Fleming, Horn, Ligon, McIntyre, McSpadden, Mitchell, Morgan and Rowe.

NAYS—Messrs. President, Bynum, Griffin, Heflin, Hill, Jackson, Patton, Toulmin, Walker, Wood and Woodward.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
January 23, 1861. }

Mr. President:

The House has originated and passed bills of the following titles :

To make certain provisions for the volunteers now in service at Pensacola ;

To amend an act entitled an act to loan and appropriate the 3 per cent. fund and its interest.

To compensate Bailiffs attending on the Circuit Courts ;

To amend an act entitled an act to regulate and define the duties and liabilities of Railroad Companies in this State, approved February 6, 1858 ;

For the relief of Jesse B. Todd and Mary Ann Todd ;

For the relief of John Camp of Jefferson county ;

For the relief of Martha B. Adams ;

To establish a medical board in St. Clair county ;

To repeal in part an act approved Feb. 24, 1860, to amend section 499 of the Code, as far as Lauderdale and Coosa counties are concerned.

The House has passed the following Senate bill :

To amend the charter of the city of Montgomery.

The House concurs in the Senate resolution that the two Houses meet in convention in the Hall of the House on Thursday, the 24th inst., at 12 o'clock m., for the purpose of electing a Chancellor for the Southern Chancery Division of the State, and also for the purpose of electing a Solicitor for the Seventh Judicial Circuit of the State.

ALBERT ELMORE, Clerk.

The House bill to authorize magistrates in Beat No. 4, Montgomery county, to appoint special constables in said Beat, was read a second time, and laid on the table.

The House bills to establish a medical board in St. Clair county, was read twice, and referred to the Committee on Corporations ;

To repeal in part an act approved February 24, 1860, to amend section 499 of the Code as far as Lauderdale and Coosa counties are concerned, was referred to a select committee, composed of Messrs. Patton and Brewer.

The House bill to make certain provisions for the volunteers now in service at Pensacola was read twice.

Mr. Horn moved to amend as follows : Insert after the word "Pensacola" the words "by the way of Geenville, Sparta," which was adopted.

The bill was read a third time, and passed. Ordered forthwith to the House.

The bill to amend an act entitled an act to loan and appropriate the three per cent and its interest, was read twice, and referred to the Committee on Internal Improvement.

The bill to compensate bailiffs attending on the Circuit Courts, was read twice, and ordered to a third reading.

The bills to amend an act entitled an act to regulate and define the duties and liabilities of railroad companies in this State, approved February 6th, 1858;

For the relief of Jessie B. Todd and Mary Anne Todd;

For the relief of John Camp, of Jefferson county;

Were severally read twice, and referred to the Committee on the Judiciary.

The bill for the relief of Martha B. Adams was read three several times forthwith, and passed.

On motion by Mr. Calhoun,

Resolved, That (with the consent of the House of Representatives) the two Houses will assemble in the Hall of the House on Thursday, the 24th inst., at 12 o'clock M., for the purpose of electing a Comptroller of Public Accounts and Treasurer.

The Senate then adjourned until to-morrow at 10 o'clock.

THURSDAY, January 24th.

The Senate met pursuant to adjournment.

Mr. Ligon introduced a bill to repeal all tax on pistols, which was read three several times forthwith, and passed. Yeas 19—nays 7.

YEAS—Messrs. President, Bullock, Burnett, Calhoun, Cocke, Felder, Fleming, Heflin, Higgins, Horn, Jackson, Lyon, McIntyre, McSpadden, Mitchell, Morgan, Stone, Walker and Wood.

NAYS—Messrs. Austin, Griffin, Hill, Patton, Rowe, Toulmin and Woodward.

Also, a bill to amend the charter of the Mobile and Girard Railroad Company, which was read twice, and referred to the Committee on Corporations.

Mr. Cocke presented the petition of sundry citizens of Marion and Perry counties, in opposition to the passage of a stay law, which was read and laid on the table.

Mr. Cocke asked leave to withdraw the petition, which was granted.

Mr. McSpadden introduced a bill to appropriate and dispose of the two per cent fund now in the Treasury of the

State, which was read twice and referred to the Committee on Internal Improvements.

Mr. McSpadden, from the Committee on Divorce and Alimony, reported favorably on the bill

To divorce Arthur Beardin from his wife, Nancy A. Beardin, and to divorce other persons therein named.

The bill was read a third time, and passed by a constitutional majority;

Also, favorably with the following amendments to the bill

To divorce Rachel H. Weathers from Francis T. Weathers, and other persons therein named; amended by adding to first section as follows: Provided that the said Rachel H. Weathers shall not be relieved of any penalties by this act until the time specified by the Chancellor in his final decree.

The amendment was adopted, the bill read a third time, and passed by a constitutional majority.

Mr. Rowe, from the Committee on Accounts and Claims, reported favorably on the House bill for the relief of the late Sheriff of Tuscaloosa county. This bill was read a third time, and passed.

Also, favorably on the bill to compensate William S. Gray, for apprehending a person therein named, charged with felony. The bill was read a third time, and passed.

Mr. Fleming, from the Military Committee, to whom was referred the resolution of the Senate, with the response of the Governor thereto, in regard to the military orders made by him, reports that the Governor has responded fully to the resolutions, and shows that the orders sending troops to Pensacola were made under a resolution of the State Convention, and the orders made to take and secure the forts and arsenal near Mobile, were made by the Governor, upon his own responsibility.

The Committee are satisfied that the Governor has done all in his power to secure, protect and defend the interest of the State, and find nothing to condemn in the orders made. The report was concurred in.

Mr. Fleming, from the same committee, reported unfavorably on the joint resolutions to establish a military commission, and a manufactory of arms for the State of Alabama, and other slaveholding States. The report was concurred in.

Mr. Fleming, from same committee, to whom was referred the bill to establish an armory in the State of Alabama, reported it as expedient to refer the same to a joint committee of the two Houses.

The bill and report were laid on the table.

On motion of Mr. McSpadden,

Resolved, (the House concurring,) That a select committee of five be appointed on the part of the Senate to act with a like committee on the part of the House, to whom is referred a bill to be entitled an act to establish an armory in the State of Alabama, and that said joint committee be instructed to report to their respective Houses at an early day

Messrs. McSpadden, Morgan, Rowe, Bynum and McIntyre were appointed the committee on the part of the Senate.

Mr. Higgins asked leave to record his vote in the passage of the bill, which was granted; whereupon he voted No.

Mr. Cocke, from the Committee on Sixteenth Sections, to whom was referred the House bill

To authorize the extension of Sixteenth Section notes reported favorably thereon, with the following amendments:

1st. Strike out the word "incurred," and insert the words "and expenses to secure and enforce the collection of the same," which was adopted.

2d. Provided, That the provisions of this act shall not be extended to any note under the sum of ten dollars, which was adopted.

3d. Provided, further, That the provisions of this act shall in no case be extended to any person or persons who were original purchasers, and have sold the same purchased by him or them to a third party, and received payment in full for the same. The amendment was adopted. Yeas 14—nays 11.

YEAS—Messrs. President, Calhoun, Cocke, Felder, Griffin, Hill, Horn, Ligon, McIntyre, McSpadden, Mitchell, Patton, Toulmin and Woodward.

NAYS—Messrs. Austin, Bulloch, Burnett, Bynum, Cleveland, Fleming, Heffin, Higgins, Jackson, Morgan, Rowe, Walker and Wood.

On motion by Mr. McIntyre, the vote just taken was reconsidered.

The question recurring on the adoption of the amendment, it was lost—Yeas 12, nays 14.

YEAS.—Messrs. President, Calhoun, Cocke, Felder, Griffin, Hill, Horn, Ligon, McSpadden, Patton, Toulmin and Woodward.

NAYS.—Messrs. Austin, Bullock, Burnett, Bynum, Cleveland, Fleming, Heffin, Higgins, Jackson, McIntyre, Mitchell, Morgan, Rowe, Walker and Wood.

Mr. McSpadden moved to amend as follows :

Provided further, That the transferrer of the certificate of the purchase in any case shall be entitled to the same privileges of extension as original purchasers, upon the substitution of his note with sufficient securities, to be approved by the Trustees and Judge of Probate ; which was adopted.

Mr. Austin moved to amend as follows :

After the word "collection" insert "or upon which judgments have been rendered ;" which was adopted.

The bill was read a third time and passed.

Mr. Bynum, from the Committee on Sixteenth Sections, reported favorably on the following House bills :

A bill to repeal in part section 2398 of the Code, so far as the same relates to townships ;

To authorize John Cöcke, administrator of the estate of William S. Cherry, deceased, to make complete payment for certain lands therein named.

The bills were severally read a third time and passed.

Also unfavorably to the bill to provide for the extension of the debts due 16th sections.

The report was concurred in.

Message from the House.

HOUSE OF REPRESENTATIVES, }
January 24, 1861. }

Mr. President :

The House has adopted the following preamble and resolution :

Whereas, the corps of cadets composed of the students of the University of Alabama, under the command of Col. Hare, have, by authority of the Governor, presented themselves at the capital of the State in order that the representatives of the people may have some practical knowledge of the operation and effect of the law of the last session establishing a military department of the University, and judge of the future usefulness and efficiency of the corps in the event their services should be needed by the State ;

Resolved, therefore, with the concurrence of the Senate, that a Joint Committee be appointed, to consist of three members on the part of each House, to make such arrangements for the reception of the corps and for ascertaining, in such mode as they may deem best, their progress in military knowledge.

Messrs. Hale, Tait of Wilcox, and Irby composed the committee on the part of the House.

A preamble and resolution of a similar character was received from the Convention, with Messrs Webb, Clements and Shortridge as the committee on the part of the Convention.

The Senate concurred in the preamble and resolution, and Messrs. Toulmin, Jackson and McIntyre were appointed the committee on the part of the Senate.

A message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
January 24, 1861. }

Mr. President:

The House has originated and passed the following bills :

To repeal paragraph 33 of section 391 of the Code of Alabama;

To compensate jurors upon Coroner's inquests in the county of Chambers;

To provide for the payment of the members and officers of the General Assembly, and of the delegates and officers of the Convention of the people of Alabama now in session at Montgomery, and for other purposes;

For the relief of Lucretia Davidson.

The House concurred in the Senate amendments to the House bills:

To raise money to provide for the military defense of the State of Alabama;

To make certain provisions for the volunteers now in service at Pensacola.

Mr. Toulmin, from the Committee on Propositions and Grievances, reported favorably on the bill

To provide the means of relief against the effects of the short crops raised in the State of Alabama in the year 1860.

Mr. McIntyre moved to amend as follows:

Strike out the counter seal "of such," and insert "seal of the Probate Court of the," which was adopted.

Mr. Rowe moved as follows:

At the end of last section add the following proviso: Provided the provisions of this act shall not apply to the county of Tallapoosa.

The hour of 12 o'clock having arrived, the Senate was invited into the Hall of the House for the purpose of electing a Chancellor for the Southern Chancery Division, and a Solicitor for the 7th Judicial Circuit.

The Senate repaired to the Hall of the House.

The Committee of the two Houses proceeded to the election of a Chancellor for the Southern Chancery Division.

Messrs. N. W. Cocke of Montgomery and J. McCaleb Wiley of Pike being in nomination.

Those who voted for Mr. Cocke are—

Messrs. President, Austin, Bullock, Bynum, Calhoun, Cleaveland, Cocke, Felder, Heflin, Jemison, Ligon, Mitchell, Morgan, Stone, Toulmin, Walker and Woodward of the Senate; and

Messrs. Abney, Aldridge, Bell, Blake, Bradley, Brooks, Bynum, Burgess, Bush, Calhoun, Carlyle, Carter, Clapp, Cunningham of Macon, Dark, Ferrell, Fielder, Forney, Forsyth, Hearin of Clark, Hightower, Holley of Tallapoosa, Irby, Lyon, Mabry, Martin, McMurray, Overall, Powell, Rice, Scott, Shepard, Sherard, Smith of Coosa, Smith of Lauderdale, Tate of Macon, Tait of Wilcox, Van De Graaff, Walden of Morgan, Walker and Whitfield—58.

Those who voted for Mr. Wiley are—

Messrs. Brewer, Burnett, Higgins, Hill, Horn, Jackson, Jones of Fayette, McIntyre, McSpadden, Patton, Rowe and Wood of the Senate; and

Messrs. Speaker, Adams, Bibb, Bowen, Brown, Carey, Clayton, Clifton, Clitherall, Coleman, Cooper, Cowan, Cunningham of Cherokee, Davidson, Flake, Fountain, Gibson, Goldsmith, Giffin of Dale, Griffin of Jackson, Griffin of Marshall, Herrin of Tallapoosa, Herman, Hobbs, Holley of Covington, Hudgins, Humphries, Jackson, Jones, Lane, Latham, Lloyd, Meadows, Millsap, Neal, Parsons, Pratt, Seale, Starke, Thomas, Walden of Coosa and Wright of the House—54.

Mr. Cocke having received a majority of all the votes cast, Mr. Speaker declared him duly elected Chancellor for the Southern Chancery Division of the State of Alabama for the term prescribed by law.

The Convention next proceeded to the election of a Solicitor for the 7th Judicial Circuit.

Mr. B. Y. Renney of Sumter county alone being in nomination, and having received one hundred and fourteen votes, it being the whole number cast, Mr. Speaker declared him duly elected Solicitor of the 7th Judicial Circuit for the time prescribed by law.

The Senate returned to its Chamber and resumed the consideration of the bill to provide the means of relief against the effects of the short crops raised in the State of Alabama in the year 1860.

Mr. Jemison moved to re-commit the bill ; which was lost. Yeas 13, nays 17.

YEAS—Messrs. President, Brewer, Bynum, Calhoun, Higgins, Hill, Horn, Jackson, Jemison, Ligon, Mitchell, Rowe and Walker.

NAYS.—Messrs. Austin, Bullock, Burnett, Cleaveland, Cocke, Felder, Fleming, Griffin, Heflin, Jones of Fayette, McIntyre, McSpadden, Morgan, Patton, Toulmin, Wood and Woodward

Mr. Griffin moved to amend as follows :

In the 5th section strike out the words “or without,” and insert the word “good ;” which was lost.

Mr. Cocke moved to dispense with the rule, that the bill might have a third reading forthwith ; which was lost—Yeas 20, nays 9.

YEAS—Messrs. Austin, Bullock, Burnett, Calhoun, Cocke, Fleming, Griffin, Heflin, Hill, Horn, Ligon, McIntyre, McSpadden, Mitchell, Morgan, Patton, Toulmin, Walker, Wood and Woodward.

NAYS—Messrs. President, Brewer, Bynum, Cleaveland, Felder, Higgins, Jemison and Rowe.

The bill was ordered to a third reading. Yeas 18—nays 12.

YEAS—Messrs. Austin, Bullock, Burnett, Calhoun, Cocke, Fleming, Griffin, Heflin, Hill, Horn, Ligon, McIntyre, McSpadden, Mitchell, Patton, Toulmin, Wood and Woodward—18.

NAYS—Messrs. President, Brewer, Bynum, Cleaveland, Felder, Higgins, Jackson, Jemison, Jones of Fayette, Morgan, Rowe and Walker—12.

A message was received from the Convention, informing the Senate of the adoption of an ordinance to preserve the laws of Alabama, and such offices, rights and remedies as are consistent with the ordinance of secession, and with other ordinances adopted by this Convention.

Also, an ordinance supplemental to an ordinance heretofore passed in reference to the Custom-house at Mobile.

Also, the following ordinances in relation to the constitution of the State of Alabama :

No special law shall be enacted for the benefit of individuals or private corporations in cases which are provided for by a general law, or when the relief sought can be given by any court of this State ;

WM. M. BROOKS,
President of the Convention.

2d. The General Assembly shall meet annually on such day as may be provided by law, and may continue in session not more than thirty days. The next regular session of the General Assembly shall commence on the second Monday in November, 1861.

Adopted, January 24, 1861.

A. G. HORN,

Sec'y Convention.

WM. M. BROOKS,

President of the Convention.

Mr. Toulmin, from the Committee on Propositions and Grievances, to whom was referred the petition of Jonathan Cooper, reported a bill for the relief of Jonathan Cooper, of Russell county, which was read twice and ordered to a third reading.

Mr. Calhoun introduced a bill to repeal an act therein named, in relation to the encouragement of direct trade, which was read three several times forthwith, and passed.

On motion by Mr. Bullock, a bill to amend the laws in relation to proceedings in courts of justice, and for other purposes, was taken from the table and placed among the general orders.

On motion by Mr. McSpadden, the Senate then adjourned until to-morrow at 10 o'clock.

FRIDAY, January 25th.

The Senate met pursuant to adjournment.

Messrs. Stone, Brewer and Jemison asked leave to have their votes recorded in the joint resolutions of the General Assembly in relation to the present crisis in public affairs, which was granted, whereupon they voted yea.

Mr. Ligon introduced a bill to amend an act to incorporate the Alabama Annual Conference of the Methodist Episcopal Church South, which was read twice, and referred to the Committee on the Judiciary.

Mr. Woodward introduced a bill for the relief of Robert S. Wilson, which was read three several times forthwith, and passed. Ordered forthwith to the House.

Mr. Brewer presented the petition of sundry citizens of Coosa county, which was referred to the Committee on the Judiciary.

Mr. Rowe introduced a bill to authorize Benjamin H. Micou to settle his accounts as Guardian in the Probate Court of Montgomery county.

Mr. McSpadden introduced a bill to repeal article third, chapter 1st, title 2d, of the Code of Alabama, which were severally read three times forthwith, and passed.

Mr. Bullock, from the Judiciary Committee, reported favorably, with amendments, to the bill to amend an act to regulate and define the duties and liabilities of railroad companies in this State, approved February 6th, 1858. The amendments were adopted, and the bill ordered to a third reading.

On motion by Mr. Calhoun, the vote ordering to a third reading the bill to provide against the effects of the short crops raised in the State of Alabama for the year 1860 was reconsidered, and the bill referred to a select committee, composed of Messrs. Calhoun, Cocke and Jemison.

Mr. Bullock, from the Judiciary Committee, reported adversely to the bill for the relief of John Camp, of Jefferson county.

Mr. Morgan moved to lay the report on the table, which was lost. The report was concurred in.

Mr. Walker, from the Committee on Internal Improvements, reported favorably on the bill to revive and amend the charter and change the name of the South Alabama Mining, Manufacturing and Transportation Company. The bill was read a third time, and passed.

Also, from the Committee on Corporations, favorably to the House bill to establish a medical board in the county of St. Clair. The bill was read a third time, and passed.

Also, favorably to the bill to amend the charter of the Mobile and Girard Railroad Company, which was ordered to a third reading.

Mr. Patton, from the select committee, favorably to the bill to repeal in part an act, approved February 24, 1860, to amend section 499 of the Code, so far as Lauderdale and Coosa counties are concerned. The bill was read a third time, and passed.

The House bill to provide for the payment of the members and officers of the Convention of the people of Alabama, now in session in Montgomery, and for other purposes, was read three times forthwith, and passed. Ordered forthwith to the House.

The bill to repeal paragraph 33, of section 891 of the Code of Alabama, was read twice.

Mr. Calhoun moved to lay the bill on the table; which was carried—Yeas 11, nays 10.

YEAS.—Messrs. President, Bynum, Calhoun, Fleming, Griffin, Hill, Ligon, McSpadden, Patton, Rowe, and Woodward.

NAYS—Messrs. Brewer, Bullock, Cocke, Felder, Heflin, Jackson, Mitchell, Walker and Wood.

The House bill to compensate jurors upon Coroner's inquests in the county of Chambers was read twice.

Mr. Griffin moved to amend by adding the county of Russell; which was adopted.

Mr. Felder moved to amend by adding the counties of Montgomery and Autauga; which was adopted.

The bill was read a third time and passed.

The caption was amended by adding after Chambers, Russell, Montgomery and Autauga; which was adopted.

The bill for the relief of Lucretia Davidson was read twice and referred to the Committee on the Judiciary.

The House bill to authorize clerks of the lower courts to issue executions for their costs in appeal cases, was read a third time and passed.

The bill to compensate Bailiffs attending on Circuit Courts was read a third time and lost.

Mr. Toulmin, from the Joint Committee of the General Assembly and Convention reported that they had waited on the officers and corps of Cadets, of the University of Alabama now on a visit to the Capital, and that the arrangements for their reception on the part of the State was as follows:

The Convention, General Assembly, Governor, and other officers of State will receive the Alabama corps of Cadets in front of the steps of the Capitol to-day at 12 o'clock M., when an address will be delivered by the Speaker of the House of Representatives, and replies by the officers of the corps, after which the corps will be received by the Governor and presiding officers of the Convention and General Assembly, and a company or battalion drill be had.

The report was concurred in.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
January 25, 1861. }

Mr. President:

The House has originated and passed the following bills:
The more effectually to secure subordination among slaves in the county of Shelby;

To prohibit the sale of spirituous liquors within three miles of Lineville Baptist Church in the county of Shelby;

To establish a Medical Board in the county of Talladega.

The House has adopted unanimously the joint resolution

of the General Assembly of the State of Alabama, in relation to the present crisis in public affairs, and has adopted a resolution that this joint resolution shall be enrolled upon parchment, and that each member of the General Assembly shall sign the same.

The House concurs in the Senate amendments to the House bills :

To prohibit the sale of spirituous or intoxicating liquors within one mile of Dublin in Perry county, and Spring Hill Academy or Spring Hill Church, in Pickens county;

To authorize Talbot Adams and Andrew Lyon to construct gates across the Vienna and Cooksville road in Pickens county, and to amend section 1177 of the Code.

ALBERT ELMORE, Clerk.

The bill to amend the laws in relation to proceedings in Courts of Justices, and for other purposes, was made the special order for Monday next at 12 o'clock.

The House bill the more effectually to secure subordination among slaves in the county of Shelby, was read twice and ordered to a third reading.

On motion by Mr. Jackson, leave of absence was granted to Mr. Slaton.

The House bill to prohibit the sale of spirituous liquors within three miles of Bineville Baptist Church in the county of Shelby, was read once and laid on the table.

The House bill to establish a Medical Board in the county of Talladega, was read twice and referred to the Committee on the Judiciary.

Mr. Bynum, from the Select Committee to whom was referred the bill to amend an act entitled an act to lay off and divide the State of Alabama into 11 Judicial Circuits, approved January 25th, 1860, so far as the same relates to the 4th Judicial Circuit, reported the following substitute therefor of the following title:

To fixing the time of holding the Circuit Court in the 4th Judicial Circuit; which was adopted and the bill read a third time and passed—

The bill for the relief of Jonathan Cooper of Russell county was read a third time and passed—Yeas 16, nays 7.

YEAS—Messrs. President, Austin, Bullock, Cocke, Felder, Griffin, Hill, Jones of Fayette, Ligon, Mitchell, Morgan, Patton, Toulmin, Walker, Wood and Woodward.

NAYS—Brewer. Bynum, Calhoun, Fleming, Heflin, Jackson and Rowe.

Ordered forthwith to the House.

The special order, it being the resolution of adjournment offered by Mr. Bynum, was postponed until Thursday next, and made the special order for 12 o'clock M.

On motion by Mr. Fleming,

Resolved, That the Committee on Banks and Banking be instructed to inquire into the expediency of passing a law allowing the Northern Bank of Alabama to deal in the bills or notes of other States, and report by bill or otherwise.

On motion by Mr. Calhoun, the Senate adjourned until tomorrow at 10 o'clock.

SATURDAY, January 26th.

The Senate met pursuant to adjournment.

Upon a call of the Districts the following bills were introduced:

Mr. Bullock, a bill to legalize the suspension of specie payments to certain banks of Alabama, which was read twice, and referred to the Committee on Banks and Banking.

Mr. Rowe, a bill to amend an act therein named, which was read twice, and ordered to a third reading.

Mr. Bynum, a bill to repeal section 110 of the Code of Alabama.

Mr. Higgins, a bill to establish a medical board in the county of De Kalb, which were severally read twice, and referred to the Judiciary Committee.

Mr. Bullock, from the Committee on the Judiciary, to whom was referred the resolution instructing them to report a bill to prevent the hunting of wild hogs in this State, with such limitations, restrictions and penalties as provided in an act for certain counties in this State, approved February 21, 1860, reported the following bill:

To regulate the hunting of wild hogs. The bill was read three times forthwith, and passed.

Mr. Bullock, from the same committee, reported adversely to the House bill for the relief of Jesse B. Todd and Mary Anne Todd.

Mr. Mitchell moved to lay the bill on the table, which was lost. The report was concurred in.

Mr. Jemison, from the select committee, reported favorably on the bill supplemental to an act to establish a hospital for insane persons in Alabama.

Mr. Felder moved to amend as follows:

At the end of 16th section add the following: Provided, That the Commissioners' Court of any county shall have the

power at any time to annul any order sending a lunatic from their said county, by paying up all legal charges due by their said county for said lunatic.

The amendment was adopted, and the bill read a third time, and passed.

Mr. Toulmin, from the Committee on Propositions and Grievances, reported favorably, with an amendment to the bill for the relief of George G. Henry, of Mobile county. The amendment was adopted, and the bill was read a third time, and passed.

The House bills to amend an act entitled an act to regulate and define the duties and liabilities of railroad companies in this State, approved February 6th, 1858,

The more effectually to secure subordination among slaves in the county of Shelby, were read a third time and passed.

The bill to amend the charter of the Mobile and Girard Railroad Company, was read a third time, and passed.

Message from the House, by Mr. Brewer.

Mr. President :

The House concurs in the Senate amendment to the House bill to divorce Rachel H. Weathers from Francis T. Weathers, and other persons therein named.

The House originated and passed a bill to conditionally relieve from military duty certain persons therein named.

The House bill to conditionally relieve from military duty certain persons therein named, was read twice, and referred to the Committee on the Military.

On motion by Mr. Bullock, leave of absence was granted to Mr. Calhoun.

Also, that the Senate concur in the resolution of the House, proposing that the joint resolution on the present crisis in public affairs be enrolled on parchment, and that each member of the General Assembly sign the same.

On motion by Mr. Morgan, the House bill to prohibit the sale of spirituous liquors within three miles of Lineville Baptist Church, in the county of Shelby, was taken from the table, read a second and third time, and passed.

On motion by Mr. Rowe, the Senate adjourned until Monday morning, at 10 o'clock.

MONDAY, January 28th.

The Senate met pursuant to adjournment.

Upon the call of the Districts, the following bills were introduced:

Mr. Horn, a bill to amend an act incorporating the Clintonville Academy in Coffee county, which was read three times forthwith, and passed;

Also, a bill to change the name of Buzbeeville, in Coffee county, to Victoria, and for other purposes, which was read twice, and referred to the Committee on Corporations;

Mr. Bullock, a bill to prevent certain aliens from instituting or maintaining suits in the courts of this State;

Mr. Bynum, a bill to exempt certain property from levy and sale, for the use of families;

Which were severally read twice, and referred to the Committee on the Judiciary.

Mr. Brewer, a bill to amend an act entitled an act to provide for the military education of two young men from each county in the State of Alabama, approved February 21, 1860, which was read twice, and referred to the Military Committee.

Mr. Morgan, a bill to change the lines between the counties of Shelby and Jefferson, which was read twice, and referred to the Committee on County Boundaries.

On motion by Mr. Calhoun, leave of absence was given to Mr. Slaton.

Mr. Bullock, from the Judiciary Committee, reported favorably to the bill to amend an act to incorporate the Annual Conference of the Methodist Episcopal Church South. The bill was read a third time, and passed.

Also, from same committee, reported a substitute for the House bill to establish a medical board in the county of Talledaga. The substitute was adopted, and the bill read a third time, and passed.

The committee asked to be discharged from the further consideration of the bill to establish a medical board in the county of De Kalb, which was granted.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, January 28th, 1861.

Mr. President:

The House has originated and passed the following bills:

Amendatory of an act to incorporate the Bank of Alabama, and for other purposes, approved February 13, 1860;

To equalize the salaries of the Secretary of State, the Comptroller and Treasurer;

To prevent the destruction of fish in the Tennessee river;

To increase the pay of grand and petit jurors for the county of Dale;

To change the time of holding the Chancery Courts of the Fourth and Fifth Districts of the Southern Chancery Division;

To give greater efficiency to the military department of the University of the State of Alabama;

To alter and amend the act to provide for the preparation of a revised Code of Alabama of a general and public nature.

The House has passed the Senate bill for the relief of Robert S. Wilson.

The House concurred in the Senate amendment to the bill to compensate jurors upon Coroner's inquests in the counties of Chambers, Russell, Montgomery and Autauga.

Mr. Bynum reported favorably, with an amendment, to the House bill to amend an act entitled an act to loan and appropriate the three per cent. fund and its interest.

The amendment was adopted, and the bill read a third time and passed.

Message from the Governor by his private Secretary, Mr. Phelan.

EXECUTIVE DEPARTMENT,
January 28, 1861. }

Hon. John D. Rather,

President of the Senate :

SIR—It becomes my duty to inform the Senate of the resignation of S. P. N. Smith, Adjutant-General of the State of Alabama, and that the office is now vacant.

Very respectfully,

A. B. MOORE.

The communication was laid on the table.

Mr. President :

His Excellency, the Governor, has approved a bill which originated in the Senate, entitled

An act to change the time of holding the Circuit Court in the county of Marion.

WATKINS PHELAN,
Private Secretary.

Mr. Bynum, from the Committee on Internal Improvements, reported favorably to the bill to appropriate and dispose of the two per cent. fund now in the State Treasury.

The bill was read a third time and passed, and ordered forthwith to the House.

Mr. Patton, from the Committee on Banks and Banking,

reported favorably to the House bill to authorize the payment of taxes in bills of the chartered Banks of this State.

The bill and report were laid on the table.

Mr. Patton, from the same Committee, to whom was referred the resolution to inquire into the expediency of passing a law allowing the Northern Bank of Alabama at Huntsville to deal in the bills or notes of the banks of other States, reported the following bill :

To repeal an act approved 24th of February, 1860, to prevent the Northern Bank of Alabama at Huntsville from paying out the notes of banks of other States.

The bill was read a first time and ordered to a second reading—Yeas 15, nays 10.

YEAS—Messrs, Austin, Bullock, Bynum, Cocke, Fleming, Griffin, Hsggins, Horn, Jemison, McIntyre, McSpadden, Patton, Walker and Wood.

NAYS—Messrs. President, Brewer, Calhoun, Felder, Hill, Jackson, Jones of Fayette, Ligon, Morgan and Rowe.

The House bill to give geater efficiency to the military department of the University of the State of Alabama, was read three several times forthwith and passed.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the bill to amend the laws in relation to proceedings in Courts of Justices, and for other purposes.

Mr. Felder moved to indefinitely postpone the consideration of the bill; which was lost—Yeas 7, nays 19.

YEAS—Messrs. Brewer, Cocke, Felder, Jones of Fayette, Ligon, Rowe and Toulmin.

NAYS—Messrs. President, Austin, Bullock, Bynum, Calhoun, Fleming, Griffin, Higgins, Horn, Jackson, McIntyre, McSpadden, Mitchell, Morgan, Patton, Slaton, Walker and Wood.

The House bill amendatory of an act to incorporate the Bank of Alabama, and for other purposes, approved February 13, 1860, was read twice and referred to the Committee on Banks and Banking.

The House bill to alter and amend the act to provide for the preparation of a revised Code of Alabama of a general and public nature; and

To change the time of holding the Chancery Courts of the 4th and 5th Districts of the Southern Chancery Division, were severally read twice and referred to the Committee on the Judiciary.

The House bill to increase the pay of grand and petit ju

rors for the county of Dale, was read three several times forthwith and passed.

The House bill to equalize the salaries of the Secretary of State, the Comptroller and Treasurer, was read twice and referred to the Committee on Finance and Taxation.

The House bill to prevent the destruction of fish in the Tennessee river was read twice.

Mr. Jackson moved to amend as follows:

Insert the county of "Lauderdale" after Marshall, and at the end of the 1st section add the following proviso: "Provided, fish so taken in the Tennessee river within the limits of the county of Lauderdale shall not be offered for sale in any of the adjoining counties; nor shall they be transported to the State of Tennessee in wagons or by the Railroads."

The Senate refused to adopt the amendment.

The further consideration of the bill was postponed until to-morrow at 10½ o'clock.

The bill to amend the act therein named was read a third time and passed.

The Senate then adjourned until to-morrow at 10 o'clock.

TUESDAY, January 29.

The Senate met pursuant to adjournment.

Upon the call of the Districts the following bills and petitions were introduced:

Mr. Bullock, a bill for the relief of F. Villeret; which was read three several times and passed.

Mr. Ligon, a petition of sundry citizens of Macon county against the passage of a stay law; which was laid on the table.

Mr. Felder, a bill to amend an act passed the 24th of February, 1860; which was read twice and referred to the Committee on Finance.

Mr. Bynum, a bill to compensate William Skinner and J. T. Clarke; which was read three several times forthwith and passed. Ordered forthwith to the House.

Mr. Jones of Fayette, from the Committee on County Boundaries, reported favorably to the bill to change the lines between the counties of Shelby and Jefferson; which was read a third time and passed by the constitutional majority of two-thirds.

Also, from the same committee, reported adversely to the House bill to declare Abner Hill a liner between the counties of Pike and Montgomery.

On motion by Mr. Horn, the bill and report were laid on the table.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
January 29, 1861. }

Mr. President:

The House has originated and passed the following bills:

To regulate the time of holding the Circuit Court in the county of Chambers;

To compel the Memphis and Charleston Railroad Company to drain the ponds along the line of said road within the limits of Jackson and Limestone counties;

To postpone the lien of the State of Alabama on the Tennessee and Coosa Railroad;

To incorporate the North Alabama Railroad Company;

To fix the compensation of Bailiffs in the Circuit Courts of Pickens, Coosa and other counties;

To prevent the retail of ardent or vinous liquors in the village of Hamburg in the county of Perry;

To regulate the pay of witnesses in criminal cases;

To regulate the time of holding the Circuit Court in the county of Chambers;

For the relief of Rufus Greene.

The House has adopted the following resolution:

Resolved, (the Senate concurring,) That the two Houses of the General Assembly meet in the Hall of the House of Representatives on Wednesday, the 30th day of January inst., for the purpose of electing a Comptroller of Public Accounts, a Treasurer, and an Adjutant General for this State.

The House concurs in the Senate amendments to the House bill to amend an act entitled an act to regulate and define the duties and liabilities of railroad companies in this State, approved February 6th, 1858.

The House has passed the Senate bill to regulate the hunting of wild hogs.

The hour of half past ten o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the bill to amend the laws in relation to proceedings in courts of justice, and for other purposes.

Mr. Bullock moved to amend as follows, by way of additional section, as section 8.

SEC. 8. Be it further enacted, That whenever it shall be made to appear that the defendant in any civil suit pending

in any of the courts of this State is actually engaged in the service of the State as a soldier, it shall not be lawful to try said cause, or make any order therein, without the consent of such defendant, his attorney or solicitor, until the termination of such term of actual service. The amendment was adopted.

Mr. Felder moved to amend as follows: Strike out the first section; in the second section strike out the words "on the return day of such execution," and insert the words "twelve months from the issuance of execution." The amendment was lost.

Mr. Wood moved to amend, by way of substitute. The Senate refused to adopt the substitute. Yeas 8—nays 18.

YEAS—Messrs. Austin, Brewer, Bynum, Griffin, Jackson, McSpadden, Morgan and Wood.

NAYS—Messrs. President, Bullock, Calhoun, Cocke, Felder, Hill, Horn, Jones of Fayette, Ligon, Mitchell, Patton, Toulmin and Walker.

On motion by Mr. Ligon, the further consideration of the bill was postponed until to-morrow at 10 o'clock.

Mr. Bullock, from the Judiciary Committee, reported favorably on the bill to repeal section 110 of the Code, pending the consideration of which the Senate adjourned until to-morrow at 10 o'clock. Yeas 11—nays 9.

YEAS—Messrs. President, Austin, Brewer, Bullock, Bynum, Calhoun, Cocke, Horn, Jackson, Ligon and Mitchell.

NAYS—Messrs. Felder, Griffin, Hill, McSpadden, Morgan, Patton, Toulmin, Walker and Wood.

WEDNESDAY, January 30th.

On motion by Mr. Calhoun, the resolution of the House, proposing that the two Houses meet in Convention this day for the purpose of electing a Comptroller of Public Accounts, a Treasurer, and an Adjutant General for this State, was amended by inserting the words "at the hour of 12 o'clock M.," and as amended was concurred in.

Upon the call of the Districts, the following bills were introduced:

Mr. Ligon, a bill to incorporate the Texas Camp Ground;
Also, a bill to define the duties of the Judges of Probate Courts of this State;

Mr. Felder, a bill further to amend section 2313 of the Code;

Which were severally read twice, and referred to the Committee on the Judiciary.

Mr. Ligon, a bill to amend an act therein named, which was read twice, and referred to the Committee on Banks and Banking;

Mr. Felder, a bill for the better preservation of the Capitol building from fire, which was read twice, and referred to the Committee on the State Capitol;

Mr. Higgins, a bill for the relief of Samuel Prentice and James D. Baine, of Marshall county, which was read twice, and referred to the Committee on Accounts and Claims.

The Senate proceeded to the consideration of the report of Mr. Bullock, from the Judiciary Committee, upon the bill to repeal section 110 of the Code. The question pending on the adjournment on yesterday being on ordering the bill to a third reading, the Senate refused to order the bill to a third reading. Yeas 12—nays 13.

YEAS—Messrs. Brewer, Bullock, Bynum, Felder, Jackson, Lyon, McSpadden, Mitchell, Morgan, Rowe, Walker and Wood.

NAYS—Messrs. President, Austin, Calhoun, Griffin, Heflin, Higgins, Hill, Jemison, Jones of Fayette, Patton, Stone, Toulmin and Woodward.

Mr. Walker laid before the Senate a communication from Mr. Fleming, asking leave of absence, which was granted.

Mr. Walker, from the Committee on Corporations, reported favorably to the bill to change the name of Buzbeeville to Victoria, and for other purposes. The bill was read a third time, and passed.

Mr. Patton, from the Committee on Banks and Banking, reported favorably to the bill to legalize the suspension of specie payments by certain banks, and for other purposes, with the following amendments:

1st. Strike out all of the second article in the first section, and insert as follows: "2d. That said banks shall resume specie payments by the first day of January 1862."

2d. Strike from the ninth line of the 4th section "eight," and insert "twelve."

3d. Strike out from the thirteenth line of the fourth section, "twelve," and insert "sixteen."

On motion, by pending the consideration of the report, there came a message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, January 30th.

Mr. President:

The House has originated and passed the following bills:
To authorize the Governor to distribute certain arms;

To amend an act, approved February 23d, 1860, to amend an act to prohibit the sale of intoxicating liquors within certain limits in Limestone county;

Making appropriations for military defense of the State;

To empower the Governor to appoint persons residing anywhere within the corporate limits of the city of Wetumpka to act as notaries public for the county of Coosa;

To accept the aid of certain patriotic citizens;

To amend section No. 39 of the Code of Alabama, in relation to the compensation of guardians;

To change the name of the Andrew Jackson Guards of Tallapoosa county;

The house has passed the Senate bill to amend an act incorporating the Clintonville Academy in Coffee county;

To amend an act to incorporate the Alabama Annual Conference of the Methodist Episcopal Church South;

To amend an act therein named.

The House concurs in the Senate amendments to the House bill to authorize the Courts of County Commissioners to establish medical boards in their respective counties.

The House refuses to concur in the Senate amendments to the bill to amend an act entitled an act to loan and appropriate the three per cent fund and its interest.

The House concurs in the Senate amendments to the resolution proposing that the two Houses meet in joint convention this day, for the purpose of electing a Comptroller of Public Accounts, a Treasurer, and Adjutant General for the State.

On motion by Mr. Calhoun, the consideration of the report of Mr. Patton was suspended, for the purpose of considering the House bill to accept the aid of certain patriotic citizens. The bill was read three several times forthwith, and passed. Ordered forthwith to the House.

On motion by Mr. Patton,

Resolved, That the use of the Senate Chamber is respectfully tendered to the Southern Congress, to meet in the city of Montgomery on the 4th day of next month, and that the door-keeper be instructed to procure a sufficient number of seats, and otherwise make the Senate Chamber comfortable for the reception of said Congress.

The Senate resumed the consideration of the report of the committee.

Mr. Bullock moved to lay the first amendment on the table, which was carried. Yeas 24—nays 3.

YEAS—Messrs. President, Austin, Brewer, Bullock, By-

num, Calhoun, Cocke, Felder, Heflin, Higgins, Hill, Horn, Jackson, Jemison, Ligon, McSpadden, Morgan, Patton, Rowe, Stone, Toulmin, Walker and Woodward.

NAYS—Messrs. Griffin, Mitchell and Wood.

The third amendment was laid on the table.

Mr. Cocke moved to amend as follows, as an additional section :

SEC. 7. Be it further enacted, That upon the resumption of specie payments by the Central and Commercial Banks of the State of Alabama, they shall be required to redeem their bills alone in Mobile, and not at their own counter.

On motion by Mr. Jemison, the amendment was laid on the table. Yeas 20—nays 6.

YEAS—Messrs. President, Austin, Brewer, Bullock, Griffin, Heflin, Higgins, Horn, Jackson, Jemison, Ligon, McSpadden, Mitchell, Morgan, Patton, Rowe, Walker, Wood and Woodward.

NAYS—Messrs. Calhoun, Cocke, Hill, Jones of Fayette, Stone and Toulmin.

Mr. Patton offered the following amendment to section 7, which was adopted.

SEC. 7. Be it further enacted, That should the Mobile Bank of Alabama, at Mobile, and the Northern Bank of Alabama, at Huntsville, before the 1st day of June, 1862, or either of them, suspend the payment of specie for their notes, they, or either of them respectively, shall be entitled to all the benefits, and subject to all the conditions and liabilities of the banks of this State now in suspension, on condition that said banks shall receive at par any bonds of the State of Alabama issued under the authority of said State, amounts following:

The Mobile Bank, the sum of \$319,150; the Southern Bank of Alabama, at Mobile, the sum of \$212,800; and the Northern Bank the sum of \$106,400, to be paid for in coin, if required by the Governor.

The bill was read a third time, and passed. Yeas 22—nays 3.

YEAS—Messrs. President, Austin, Brewer, Bullock, Bynum, Cocke, Felder, Heflin, Higgins, Hill, Horn, Jackson, Jemison, Ligon, McSpadden, Morgan, Patton, Rowe, Stone, Toulmin, Walker and Woodward.

NAYS—Messrs. Calhoun, Jones of Fayette, and Wood.

The hour of 12 o'clock having arrived, the Senate was invited into the Hall of the House, for the purpose of electing a Comptroller of Public Accounts, a Treasurer, and an Ad-

jutant General for the State, the Senate repaired to the Hall of the House, where the two Houses, in joint convention, proceeded, first, to the election of a Comptroller of Public Accounts.

Mr. William G. Green alone being in nomination, and having received one hundred and five votes, it being the whole number cast and a majority, Mr. Speaker declared him duly elected Comptroller of Public Accounts of the State of Alabama for the term prescribed by law.

The Convention proceeded to the election of a Treasurer.

Mr. Duncan B. Graham alone being in nomination, and having received ninety votes, it being the whole number cast, and a majority, Mr. Speaker declared him duly elected Treasurer for the State of Alabama for the time prescribed by law.

The Convention next proceeded to the election of an Adjutant General for the State.

Mr. Joel Riggs alone being in nomination, and having received one hundred and nine votes, it being the whole number cast, and a majority, Mr. Speaker declared him duly elected Adjutant General for the State of Alabama for the term prescribed by law.

The business of the Convention being concluded, the Senate returned to its chamber.

The special order for 12 o'clock, it being the bill to amend the laws in relation to proceedings in Courts of Justice, and for other purposes, was postponed and made the special order for to-morrow at 10 o'clock.

On motion by Mr. Patton,

Resolved, That the subject matter of the ordinance reported by the Convention to the Senate adopting annual sessions of the Legislature, and limiting the time and legislative powers thereof, be referred to the Committee on the Judiciary, with instructions to report a bill or otherwise defining the legitimate objects of legislation contemplated by said ordinance.

The House bills making appropriations for the military defense of the State, and to amend an act approved February 23, 1860, were severally read twice and referred to the Committee on Finance and Taxation.

The Senate receded from its amendment to the House bill to amend the act entitled an act to loan and appropriate the three per cent. fund and its interest.

The House bill to change the name of the "Andrew Jack-

son Guards" of Tallapoosa county, was read twice and referred to the Committee on the Military.

The House bills

To amend section 39 of the Code of Alabama in relation to the compensation of Guardians;

To empower the Governor to appoint persons residing anywhere within the corporate limits of the city of Wetumpka to act as Notaries Public for the county of Coosa;

To regulate the pay of witnesses in criminal cases, were severally read twice and referred to the Committee on the Judiciary.

The House bills

To incorporate the North Alabama Railroad Company;

To regulate the time of holding the Circuit Court in the county of Chambers, were severally read a first time and ordered to a second reading.

The House bills

To postpone the lien of the State of Alabama on the Tennessee and Coosa Railroad;

To compel the Memphis and Charleston Railroad Company to drain the ponds along the line of said road within the limits of Jackson and Limestone counties, were severally read twice and referred to the Committee on Internal Improvements.

The House bills

To regulate the time for the trial of State cases in the Circuit Court for the county of Chambers;

To prevent the sale of ardent or vinous liquors in the village of Hamburg, in the county of Perry;

To fix the compensation of Bailiffs in the Circuit Courts of Pickens, Coosa and other counties;

For the relief of Rufus Greene;

To amend an act to prohibit the sale of intoxicating liquors within certain limits in Limestone county;

To authorize the Governor to distribute certain arms, were severally read three times forthwith and passed.

Mr. Bullock, from the Judiciary Committee, reported favorably to the bill to exempt certain property from levy and sale, for the use of families.

The bill was read a third time and passed.

Mr. McSpadden, from the Military Committee, reported favorably to the House bill to conditionally relieve from military duty certain persons therein named.

The bill was read a third time and passed.

Also unfavorably to the bill to amend an act entitled an

act to provide for the military education of two young men from each county in the State of Alabama, approved 21st of February, 1860.

Mr. Brown moved to lay the report on the table; which was lost.

The report was concurred in.

On motion by Mr. Jones of Fayette, the Senate adjourned until to-morrow at 10 o'clock.

THURSDAY, January 31, 1861.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

A bill to amend an act to incorporate the Annual Conference of the Methodist Episcopal Church, South;

To regulate the hunting of wild hogs.

On motion by Mr. Calhoun, the vote adopting the resolution tendering the use of the Senate Chamber to the Congress to assemble in the city of Montgomery on the 4th of February next, was reconsidered and laid on the table.

Upon the call of the Districts the following bills were introduced:

Mr. Bullock, a bill to incorporate the Eufaula Marine and Fire Insurance Company; which was read twice and referred to the Committee on Corporations.

Mr. Griffin, a bill to repeal a certain prohibitory clause in the fifth section of the act incorporating the Insurance Company of Opelika, and for other purposes.

Mr. Jemison, a bill to incorporate the Central Insurance Company at Tuscaloosa; which were severally read twice and referred to the Committee on Banks and Banking.

Mr. Walker, a bill to induce Railroad companies in this State to carry troops and munitions of war for this State free of charge; which was read twice.

Mr. Bullock moved to amend as follows:

Provided, That if it should not become necessary for the State to transport any troops or munitions of war over such road, and none should in fact be transported, then the Railroad companies over whose road no troops or munitions are transported shall pay the taxes as now provided by law; and provided further, that the operations of this act are hereby limited to the term of two years from the date of its passage.

The bill and amendment were referred to the Committee on Finances and Taxation.

Mr. Morgan, a bill to authorize a removal of the administration of the estate of Thomas J. Walker, deceased,

Also, a bill for the relief physicians in this State; which were severally read twice and referred to the Committee on the Judiciary.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
January 31, 1861. }

Mr. President:

The House has passed the following Senate bills :

For the relief of the children of Gabriel Wharton Long ;

To compensate William S. Gray for apprehending a person therein named charged with a felony ;

To revive and amend the charter and change the name of the South Alabama Mining Manufacturing and Transportation Company.

HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills originated in and passed the House of Representatives :

To divorce certain persons therein named ;

To prevent the sale of spirituous liquors within two miles of Spring Hill College, in the county of Mobile ;

To amend an act entitled an act to provide for an efficient military organization of the State of Alabama, approved February 24th, 1860 ;

To regulate the practice of the Supreme Court ;

To protect the public property from fire ;

To define the fees of sheriffs in the allotment of dower ;

To amend section 2813 of the Code of Alabama ;

To repeal in part an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved 24th February, 1860 ;

To incorporate a steam fire engine company in Mobile ;

To amend an act entitled an act to incorporate the Mechanics' Aid Association of Mobile, approved February 24, 1860 ;

For the relief of Alexander Dean ;

To incorporate the North Alabama Steamboat Company ;

To reinstate section 496 of the Code of Alabama, so far as the same relates to Winston county ;

To revive the act to incorporate the Alabama Direct Trade and Exchange Company, approved February 5th,

1852, and the supplemental act thereto, approved February 17th, 1854;

For the relief of Mr. James Hackney;

To incorporate Ingram's Academy, in Russell county;

For the relief of M. J. Kenon, sheriff of Dallas county;

For the relief of Wm. C. Penick;

To incorporate the Mechanics' Aid Association of Selma.

Mr. Bullock, from the Committee on the Judiciary, reported favorably, with the following amendments, to the bill to alter and amend the act to provide for the preparation of a revised Code of Alabama, of a general and public nature:

Amend by inserting after the word "ordinances," in the ninth line, the words "of a public and permanent character."

The amendment was adopted, and the bill read a third time, and passed.

The hour of 11 o'clock having arrived, the special order, it being the bill to amend the law in relation to proceedings in courts of justice, and for other purposes, was postponed, and made the special order for 11 o'clock to-morrow.

Mr. Bullock, from the same committee, reported favorably, with the following amendments, to the bill to prevent certain aliens from instituting or maintaining suit in the courts of this State:

Amend 1st. By making section 4 section 5, and insert as section 4, "Be it further enacted, That if suit shall be commenced on any account, promissory note, bill of exchange, or other evidence of debt, payable to and originally held by any citizen of such non-slaveholding State, such suit must be dismissed in the same manner as if brought by such citizen of such non-slaveholding State himself, in his own name, unless it shall be made to appear that such account, promissory note, bill of exchange, or other evidence of debt, was assigned or transported *bona fide*, for a valuable consideration to the plaintiff in such suit before the passage of this act; and the burden of proof in establishing such transfer or assignment is upon the plaintiff in such suit." The amendments were adopted.

By leave, Mr. Bullock introduced a bill to authorize the Governor to appoint a military board, which was read twice, and referred to the Military Committee.

The question recurring on ordering the bill to prevent certain persons from instituting suits in the courts of this State, pending which, the Senate adjourned until to-morrow at 10 o'clock, Mr. Mitchell being entitled to the floor.

FRIDAY, February 1st.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

For the relief of the children of Gabriel Long ;

To compensate William A. Gray, for apprehending a person therein named, charged with a felony ;

For the relief of Robert S. Wilson ;

To amend the charter of the city of Montgomery ;

To amend an act incorporating Clintonville Academy, in Coffee county.

Upon the call of the Districts, the following bills were introduced :

Mr. Griffin, a bill to amend the charter of incorporation of the town of Opelika ;

Mr. McSpadden, a bill to amend an act to incorporate the Lawrenceville Male and Female Academy, in Henry county, so far as the Gadsden Male and Female Academy, in Cherokee county, is concerned, which were severally read three times forthwith, and passed ;

Mr. Walker, a bill to exempt certain persons therein named from serving on juries, which was read twice ;

Mr. Brewer, moved to amend by inserting after the word "machinery" the words "and trustees of free public schools."

The amendment was adopted, and the bill referred to the Committee on the Judiciary ;

Mr. Morgan, a bill for the relief of Wm. M. Glass, of Bibb county, which was read twice, and referred to the Committee on Accounts and Claims.

By leave, Mr. Bynum, from the Committee on the Military, reported favorably to the bill to authorize the Governor to appoint a military board.

Mr. Bynum moved to amend by adding at the end of the seventh section the words, "at the rate of fifteen hundred dollars each per annum for the time they are actually employed." The amendment was adopted, and the bill read a third time, and passed. Ordered forthwith to the House.

The Senate proceeded to the consideration of the report of the committee pending at the adjournment on yesterday upon the bill to prevent certain aliens from instituting or maintaining suit in the courts of this State. The question being on ordering the bill to a third reading, it was lost. Yeas 10—nays 15.

YEAS—Messrs. Bullock, Bynum, Hill, Horn, McSpadden, Morgan, Stone, Walker, Wood and Woodward.

NAYS — Messrs. President, Austin, Brewer, Calhoun, Cocke, Felder, Griffin, Heffin, Jackson, Jemison, Jones of Fayette, Ligon, Mitchell, Patton and Toulmin.

Mr. Walker, from the Committee on Internal Improvements, reported favorably to the bill to postpone the lien of the State of Alabama on the Tennessee and Coosa Railroad. The bill was read a third time, and passed. Ordered forthwith to the House.

Mr. Bullock, from the Judiciary Committee, reported it as inexpedient to legislate in relation to the petition of certain citizens of Coosa county. The report was concurred in.

Mr. Jemison, from the Committee on Finance and Taxation, reported favorably to the bill to amend an act passed 24th February, 1860. The bill was read a third time, and passed.

Also, favorably to the bill to amend an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved February 24th, 1860. The bill was read a third time, and passed. Mr. Cocke voted no.

Mr. Austin, from the Committee on the Military, reported favorably to the bill to change the name of the Andrew Jackson Guards, of Tallapoosa county. The bill was read a third time, and passed.

Mr. Jemison, from the Committee on Finance and Taxation, reported adversely to the bill to amend an act approved February 23, 1860.

The report was concurred in.

Message from the Governor by his private Secretary, Mr. Phelan.

EXECUTIVE DEPARTMENT, }
February 1, 1861. }

Hon. John D. Rather,

President of the Senate :

SIR—It becomes my duty to communicate to your body the resignation of R. T. Thom, Quartermaster General of the State. The office is now vacant.

Very respectfully,

A. B. MOORE.

His Excellency, the Governor, has approved bills originated in the Senate of the following titles :

To amend an act to incorporate the Annual Conference of the Methodist Episcopal Church, South ;

To regulate the hunting of wild hogs.

Mr. Jemison, from the Committee on Finance and Taxation, reported adversely to the House bill to equalize the salaries of the Secretary of State, Comptroller and Treasurer.

The report was concurred in.

Mr. Felder, from the Committee on the State Capitol, reported favorably with an amendment to the bill for the better preservation of the Capitol building from fire.

The amendment was adopted.

Mr. Calhoun moved to amend with the following proviso:

Provided further, The cost of the construction of said cisterns shall not exceed the sum of \$1000 above appropriated.

The amendment was adopted, and the bill read a third time and passed.

The Senate proceeded to the consideration of the House bill to prevent the destruction of fish in the Tennessee river.

Mr. Jackson moved to amend by striking out of section 2 the following words:

"Within the limits of Limestone, Morgan, Jackson, Lawrence, Franklin and Marshall counties."

The motion was carried.

Mr. Patton moved to amend as follows:

Provided, That nothing herein contained shall be so construed as to prevent the citizens of Lauderdale county from the exercise of all the privileges they now enjoy in taking fish on the Lauderdale side of the Tennessee river, or in any of the tributaries of said river flowing through said county of Lauderdale; which motion was carried, and the bill was read a third time and passed.

The Senate proceeded to the consideration of the special order, it being the bill to amend the laws in relation to proceedings in Courts of Justice, and for other purposes.

On motion by Mr. Calhoun, the bill was laid on the table.

The Senate proceeded to the consideration of the next special order, it being the adjournment resolution offered by Mr. Bynum.

Mr. Bynum moved to amend by striking out the words "Saturday the 26th inst.," and insert "Wednesday 6th of February inst."

Mr. McSpadden moved to insert Thursday, the 7th February inst.

The question first being put on striking out, it was carried.

The question was taken on inserting Thursday, the 7th inst., and it was lost.

Mr. Bynum's motion to insert Wednesday prevailed. Ordered to be sent forthwith to the House.

Mr. Burnett asked leave of absence; which was granted.

By leave, Mr. Felder introduced a bill for the relief of Elizabeth E. Cleaveland; which was read twice and referred to the Committee on the Judiciary.

The House bill to protect the public property from fire was read twice and laid on the table.

The House bill to prevent the sale of spirituous liquors within two miles of Spring Hill College in Mobile county, was read twice, referred to a select committee composed of Messrs. Toulmin, Wood and Brewer.

The bill for the relief of M. J. Kenan, Sheriff of Dallas county, was read twice and referred to the Committee on Accounts and Claims.

The House bills

To incorporate the Mechanics' Aid Association of Selma;

To incorporate Ingram's Academy in Russell county;

To regulate the practice of the Supreme Court;

To define the fees of Sheriffs in the allotment of dower;

To amend section 2813 of the Code of Alabama;

To repeal in part an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved 24th February, 1860;

Were severally read twice and referred to the Committee on the Judiciary.

The House bill for the relief of Alexander Dean was read twice and referred to the Committee on Divorce and Alimony.

The House bills

To revise the act to incorporate the Alabama Direct Trade and Exchange Company, approved February 5th, 1852, and the supplemental act thereto, approved February 17th, 1854;

To incorporate the North Alabama Railroad Company;

Were severally read twice and referred to the Committee on Internal Improvement.

The House bill for the relief of Wm. C. Penick was read twice.

Mr. Brewer moved to refer the bill to the Committee on Propositions and Grievances; which was lost.

The bill was ordered to a third reading.

The bill to repeal an act approved 24th of February, 1860, to prevent the Northern Bank of Alabama, at Huntsville, from paying out the notes of Banks of other States, was read a second time.

Mr. Bullock moved to amend as follows :

Section 2. Be it further enacted, That the privileges hereby restored to the Northern Bank of Alabama be and they are hereby extended to the Eastern Bank of Alabama; which motion was carried.

Mr. Jemison moved to amend as follows :

Provided said Northern and Eastern Banks be required to receive in payment of all debts due the banks, and on deposit at the counters thereof, the notes of such other banks of other States as the Northern and Eastern Banks are authorized to pay out; which was adopted.

Mr. Calhoun moved to indefinitely postpone the further consideration of the bill; which was lost—Yeas 10, nays 14.

YEAS—Messrs. President, Brewer, Calhoun, Felder, Hill, Jemison, Jones of Fayette, Morgan, Stone and Woodward.

NAYS—Messrs. Bullock, Bynum, Cocke, Griffin, Heflin, Horn, Jackson, Ligon, McSpadden, Mitchell, Patton, Toulmin, Walker and Wood.

The bill was read a third time and passed. Yeas 14, nays 10.

YEAS—Messrs. Bynum, Bullock, Griffin, Heflin, Horn, Jackson, Ligon, McSpadden, Mitchell, Patton, Toulmin, Walker and Wood.

NAYS—Messrs. President, Brewer, Calhoun, Felder, Hill, Jemison, Jones of Fayette, Morgan, Stone and Woodward.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 1, 1861. }

Mr. President :

The House has originated and passed the following bill :

To regulate judicial proceedings, and for other purposes.

The House bill to regulate the time of holding the Circuit Court for the county of Chambers, was read a second and third time and passed.

The House bills

To compensate jurors of Coroner's inquests in the county of Dale ;

For the relief of James McHackney ;

To reinstate section 496 of the Code of Alabama, so far as the same relates to Winston county :

To incorporate the steam fire engine company in Mobile ;

To amend an act entitled an act to incorporate the Mechanics' Aid Association of Mobile, approved February 24, 1860 ;

To incorporate the North Alabama Steamboat Company ;

To amend an act entitled an act to provide for an efficient military organization of the State of Alabama, approved February 24th, 1860;

To divorce certain persons therein named, were severally read three times forthwith, and passed.

The House bill to regulate judicial proceedings, and for other purposes, was read twice and referred to the Judiciary Committee.

By leave, Mr. Bullock introduced a bill to make the bills of all regularly chartered banks in this State a legal tender in the payment of debts until the 1st of June, 1862, which was read twice and referred to the Judiciary Committee.

On motion, the Senate then adjourned until to-morrow morning at 10 o'clock.

SATURDAY, February 2d.

The Senate met pursuant to adjournment.

Upon the call of the Districts, the following bills were introduced:

Mr. Walker, a bill to secure the sale of the bonds of the State of Alabama to the bank of Selma, and for other purposes, which was read twice and referred to the Committee on Banks and Banking;

Mr. Jemison, a bill for the relief of Horace King and his family, and Solomon Perbat and his wife, which were read twice;

Mr. Toulmin moved to amend as follows: Insert after section three:

"SEC. 3. Be it further enacted, That the provisions of this act are hereby extended to and made applicable to the descendants of Sally Pope, late of Mobile," which motion was carried.

Mr. Bullock moved to amend as follows: Insert after section three:

"SEC. 4. Be it further enacted, That Willis Fort, of the county of Barbour, shall be entitled to all the privileges and immunities conferred by the first section of this act on Horace King and wife."

Mr. Wood moved to amend the amendment by inserting after Barbour the words "and all free persons in the counties of Henry and Dale," which was lost.

Mr. Morgan moved to amend by adding after "Barbour" the name of "Bob Hood, of Shelby county," which was adopted.

Mr. Patton moved to amend by inserting after "Shelby

county" the name of "John Rapier, of Florence," which was carried.

Mr. Jemison moved to amend by inserting after "Florence" the name of "Shandy Jones, wife, and family," which was carried, and the amendment as amended was adopted.

Mr. Higgins moved to refer the bill to the Committee on the Judiciary, which was lost.

Mr. Jemison moved to dispense with the constitutional rule, in order to give the bill a third reading forthwith, which was lost.

The bill was ordered to be engrossed for a third reading.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, February 2d, 1861.

Mr. President :

The House has passed the following resolution :

Resolved, (the Senate concurring,) That the Secretary of State cause the engrossed copy of the joint resolution on the subject of Secession to be framed in Alabama oak, and hung in the Representative Hall, behind the Speaker's chair.

The House has originated and passed bills :

To secure the rights of patentees and authors, and their assignees in the State of Alabama;

To incorporate the Chulafinnee Academy, in Randolph county.

On motion by Mr. Patton, the resolution tendering the Senate Chamber to the Southern Congress, to meet in Montgomery on the 4th inst., was taken from the table.

Mr. Calhoun moved to amend by striking out "next" and insert "this" etc., so as to make the resolution read this month, which was carried, and the resolution as amended was adopted.

Mr. Jemison, from the Committee on Finance, reported a substitute for the bill to induce railroad companies in this State to carry troops and munitions of war for this State free of charge.

The substitute was adopted, and the bill read a third time and passed. Ordered forthwith to the House. Yeas 20—nays 5.

YEAS—Messrs. President, Austin, Brewer, Bullock, Calhoun, Felder, Hill, Horn, Jackson, Jemison, Ligon, McSpadden, Mitchell, Morgan, Patton, Stone, Tolmin, Walker, Wood and Woodward.

NAYS—Messrs. Bynum, Griffin, Heflin, Higgins and Jones of Fayette.

Mr. Patton, from the Committee on Banks and Banking, reported favorably to the bill to incorporate the Tuscaloosa Insurance Company. The bill was read a third time and passed. Ordered forthwith to the House.

Mr. Jemison, from the Committee on Finance, reported a substitute for the House bill making appropriation for the military defense of the State. The substitute was adopted. The first blank in the tenth section was filled by inserting the words "two thousand."

The second blank in the same section was filled by inserting the words "one hundred thousand."

The first blank in the twelfth section was filled by inserting the word "three."

The second blank in same section was filled by inserting the words "seven hundred and fifty."

The bill was read a third time and passed. Ordered forthwith to the House.

Mr. Patton, from the Committee on Banks and Banking, reported adversely to the bill to amend an act therein named. The report was concurred in.

Also, adversely to the bill to repeal a certain prohibitory clause in the fifth section of the act incorporating the Insurance Company of Opelika, and for other purposes.

On motion by Mr. Griffin, the further consideration of the report and bill was postponed till Monday next, and made the special order for the hour of 11 o'clock.

Also, adversely to the House bill amendatory of an act to incorporate the Bank of Alabama, and for other purposes, approved February 13th, 1860. The report was not concurred in.

Mr. Jemison moved to amend as follows: Strike out "two years," and insert in lieu thereof "sixteen months."

SEC. 2. Be it further enacted, That the first section of the above recited act be amended by adding at the end of the first proviso the words "adding twenty-five per cent on the amount of railroad stock owned by such individual or corporation." The amendment was lost. Yeas 9—nays 17.

YEAS—Messrs. Austin, Jemison, Jones of Fayette, Patton, Stone, Toulmin, Walker, Wood and Woodward.

NAYS—Messrs. President, Brewer, Bullock, Bynum, Calhoun, Cocke, Felder, Griffin, Heflin, Higgins, Hill, Horn, Jackson, Ligon, McSpadden, Mitchell and Morgan.

The bill was read a third time and passed. Yeas 16—nays 8.

YEAS—Messrs. President, Brewer, Bullock, Bynum, Cocke, Felder, Griffin, Heflin, Hill, Jackson, Ligon, McSpadden, Mitchell, Morgan, Patton and Walker.

NAYS—Messrs. Calhoun, Horn, Jemison, Jones of Fayette, Stone, Toulmin, Wood and Woodward.

Mr. Toulmin, from a select committee, reported favorably to the House bill to prevent the sale of spirituous liquors within three miles of Spring Hill College, in the county of Mobile. The bill was read a third time and passed.

Mr. McSpadden, from the Committee on Divorce and Alimony, reported favorably to the House bill for the relief of Alexander Dean. The bill was read a third time and passed.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 2, 1861. }

Mr. President :

The House has amended by engrossed ryder, and passed the Senate bill to legalize the suspension of specie payments by certain banks of Alabama.

Mr. Bullock, from the Committee on the Judiciary, reported favorably to the bills

To authorize the removal of the administration of the estate of Thomas J. Walker, deceased ;

To exempt certain persons therein named from serving on juries ;

To empower the Governor to appoint persons residing anywhere within the corporate limits of the city of Wetumpka to act as Notaries Public for the county of Coosa ;

To amend section 2039 of the Code of Alabama, in relation to the compensation of guardians ;

To repeal in part an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved 24th of February, 1860 ;

All of which were severally read a third time and passed.

Also favorably, with an amendment, to the House bill to regulate judicial proceedings, and for other purposes.

On motion by Mr. Bynum, the consideration of the report and bill was postponed and made the special order for Monday next at 11 o'clock, and 150 copies ordered to be printed. Yeas 12, nays 11.

YEAS—Messrs. President, Bynum, Felder, Heflin, Horn, Jackson, Jemison, Ligon, Morgan, Stone, Toulmin and Woodward.

NAYS—Messrs. Austin, Bullock, Calhoun, Cocke, Griffin, Hill, McSpadden, Mitchell, Patton, Walker and Wood.

On motion by Mr. Bullock, the Senate concurred in the the amendments made by the House to the bill to legalize the suspension of specie payments by certain banks of Alabama.

Ordered that the House be notified of the concurrence forthwith.

Mr. Bullock, from the Judiciary Committee, reported favorably, with an amendment, to the House bill to regulate the pay of witnesses in criminal cases.

The amendment was adopted, and the bill read a third time and passed.

By leave, Mr. Felder introduced a bill to pay W. B. & A. R. Bell an account; which was read twice and referred to the Committee on Accounts and Claims.

Mr. Ligon, by leave, from the Judiciary Committee, reported favorably to the bill further to define the duties of the Judges of Probate Courts of this State.

The Senate then adjourned until Monday morning at 10 o'clock.

MONDAY, February 4th.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported as correctly enrolled, the bill to revive and amend the charter and change the name of the South Alabama Mining, Manufacturing and Transportation Company.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 4th. }

Mr. President:

The House has passed the Senate bills:

Supplemental to an act to establish a hospital for insane persons in Alabama;

To authorize the Governor to appoint a Military Board.

The House concurs in the Senate amendment to the House bill to alter and amend the act to provide for the preparation of a revised Code of Alabama of a general and public nature.

The House has amended, as therein shown, and passed the Senate bill to compensate William Skinner and J. S. Clark.

The House has originated and passed the following bills:

To amend an act to provide for the military education of two young men from each county in the State of Alabama;

To provide for the payment of members and officers of the General Assembly;

To compensate White, Pfister & Co., for stationery;

To provide military efficiency, and for other purposes;

In relation to guardians of idiots, lunatics and persons *non compos mentis*.

The House has adopted the following resolution:

Resolved, (the Senate concurring,) That the two Houses of the General Assembly meet in Convention on Monday, the 4th of February inst., at 12 o'clock M., for the purpose of electing a Quartermaster General.

Upon the call of the districts the following bills were introduced:

Mr. Bullock, a bill to amend the charter of the town of Tuskegee; which was read three times forthwith and passed.

Mr. McSpadden, a bill to repeal an act entitled an act to fix the boundary line between the counties of Cherokee and Benton; which was read twice and referred to a select committee composed of Messrs. McSpadden and Walker.

On motion by Mr. Brewer, the Senate concurred in the resolution of the House proposing that the two Houses meet in joint committee this day at 12 o'clock M., for the purpose of electing a Quartermaster General.

Mr. Bullock, from the Judiciary Committee, reported adversely to the bill for the relief of physicians of this State;

Also, adversely to the bill further to amend section 2313 of the Code.

The reports were concurred in.

Also, favorably to the bill to make the bills of all regularly chartered banks of this State a legal tender in the payment of debts until the 1st day of June, 1862.

Mr. Bullock moved to amend as follows:

Strike out the last line in section 1, and insert the words "in execution, unless the plaintiff shall consent to a stay law of the same until the 1st day of June, 1862: Provided, that no lien shall be lost by such stay."

The amendment was adopted.

The Senate refused to order the bill to a third reading—
Yeas 11, nays 15.

YEAS—Messrs. Brewer, Bullock, Cocke, Griffin, Heflin, Hill, Jackson, McIntyre, McSpadden, Morgan and Stone.

NAYS—Messrs. President, Austin, Bynum, Calhoun, Felder, Horn, Jemison, Jones of Fayette, Mitchell Patton, Rowe, Toulmin, Walker, Wood and Woodward.

Mr. Felder, from the Committee on the Judiciary, reported

favorably to the House bill for the relief Lucretia Davidson. The bill was read a third time forthwith and passed.

Mr. Mitchell, from the Committee on Corporations, reported favorably to the bill, with an amendment, to incorporate the Eufaula Marine and Fire Insurance Company.

Mr. Jemison moved to amend the amendment, by striking out the words "loan" and "or deal in."

The amendments were laid on the table,

And the bill was read a third time and passed.—Yeas 16, nays 8.

YEAS—Messrs. Brewer, Bullock, Bynum, Felder, Griffin, Heflin, Horn, Jackson, Jemison, Ligon, McIntyre, McSpadden, Rowe, Patton, Walker and Wood.

NAYS—Messrs. President, Calhoun, Hill, Jones of Fayette, Mitchell, Stone, Toulmin and Woodward.

The special orders were postponed for the purpose of receiving reports from committees.

Mr. Walker, from the Committee on Internal Improvements, reported favorably to the bills:

To revive the act to incorporate the Alabama Direct Trade and Exchange Company, approved February 5, 1852; and

The supplemental act thereto, approved February 17th, 1854, to incorporate the North Alabama Railroad Company;

Both of which were severally read a third time and passed.

Mr. Patton,

From the Committee of the two Houses to which was referred a resolution of instructions to inquire into and report upon the condition of the chartered banks of Alabama which have recently suspended specie payments, and at the discretion of said committee to proceed to said banks and make personal examination thereof, have, in the discharge of the duties contemplated by said resolution, called upon said banks for statements showing their condition, respectively, at the date of suspension, and also at the time of the examination.

Your Committee proceeded first to the examination of the Central Bank of Alabama, in the city of Montgomery, making the certified statements herewith, bearing date 31st December, 1860, (the day of suspension,) and 22d of January, 1861, the foundation of said examination, which statements (marked A) are submitted as a part of this report. In the examination of the offering and discount books of the bank, your Committee discover that the transactions are mainly predicated upon the purchase of bills of exchange for the removal of the produce of the State; and to the extent of

the investigation had by the committee, they could not discover on the part of the President and Directors a disposition to indulge in or be chargeable with any other than legitimate banking, such as should control the action of all well regulated banks.

Your Committee also proceeded to examine the vaults and count the coin reported to be on hand, all of which were found correct.

Your Committee also examined carefully the reports made weekly by the Cashier to the Board of Directors, as exhibited in a book kept for that purpose, and find that the average amount of notes in circulation the past six months, as compared with the coin on hand, was only one and 85-100ths for every dollar in coin held by the bank. This exhibit satisfied your committee that the discounts and circulation of this bank have been wisely and judiciously conducted; and that it is not probable that any well regulated bank can keep in circulation any thing like three dollars to one of capital stock, as authorized by the charters of the banks of Alabama.

Your Committee, in the exercise of the discretion given to them by the resolution, have thought it unnecessary to go in person to Selma and Eufaula, for the purpose of examining the Commercial and Eastern Banks of Alabama, located in said cities, but have procured from the officers of these banks the certified statements herewith, (marked B and C,) showing their condition, respectively, at the dates thereof, which are submitted as part of this report. It will be seen by reference to the statements of each of these banks, certified to by their respective officers, that at the time of suspension they were in a sound and healthy condition; and had the Boards of Directors not felt it their duty to respond favorably to the suggestion of the Governor to save the coin in their vaults for the military defence of the State, there would have been no necessity that either of said banks should have suspended the payment of specie for their notes in circulation.

Your Committee are pleased to bear testimony that the Presidents and officers of the three suspended banks were not only prompt in furnishing the certified statements reported, but evinced every desire that the committee should (personally) make a thorough and satisfactory examination of their books, vaults and mode of doing business.

R. M. PATTON,
Chairman Senate Committee.
N. L. WHITFIELD,
Chairman House Committee.

Mr. Bynum, from the select committee appointed by the Senate to examine the muskets commonly known as the "George Law guns," beg leave to make the following report:

These muskets are simply United States flint muskets changed to percussion, rifled, and fitted with elevating sights.

The questions to be determined were, had the efficiency of the gun been impaired, or its safety diminished or destroyed by the changes it had undergone. Some experiments had already been made with several of the guns before the appointment of the committee. It was deemed best, however, to procure an additional number from the arsenal, and four were taken indiscriminately from a newly opened box by Mr. Clayton, chairman of the committee appointed by the House of Representatives, and Mr. Duval, chairman of the committee appointed by the Governor.

On Friday, afternoon, January 19th, six of the muskets were fired *off hand*, at a target three feet square, anchored in the river at a distance of *eleven* and *fourteen* hundred yards. None of the balls fell short; and although their deviation could not be determined with precision, it was so slight as to satisfy the committee as to the unusual accuracy and efficiency of the guns at long range. In the opinion of the committee, the greatest lateral deviation was not more than twenty feet, and the average deviation less than five, although a number of shots were fired by persons entirely unaccustomed to the elevating sights. A Sharpe's rifle, a Mississippi rifle, and an ordinary percussion musket were also fired, but with results not so satisfactory either as to their range or accuracy.

On the Saturday and Monday following, the barrels of six of the guns were subjected to proof. The test prescribed in the Ordnance Manual for muskets, is the following:

1st Charge: 1-18 lb. of powder, 1 ball 1-15 lb., 0.676 inches in diameter, two wads 4 inches square.

2d Charge: 1-22 lb. of powder, ball and wads as in the first. Musket powder is to be used for the barrels of muskets and musketoons, and rifle powder for all others. Musket powder is estimated to be 15 per cent. or 20 per cent. weaker than rifle or sporting powder. The ordinary charge for a musket is about 80 grains; 1-18 of a pound is 388 grains avoirdupois, 1-22 is 318 grains; making the first charge nearly five, the second nearly four times the ordinary charge. The powder used on these occasions was, however, rifle and sporting powder, thus materially increasing the severity of the test, as no diminution in the quantity of pow-

der used was made by the committee. None of the barrels burst, nor were injured by the test. One of them was afterwards fired by Dr. Ware, loaded with a double charge of powder and two Minnie balls.

Two others of those thus tested were subsequently fired by members of the committees at a target one hundred and twenty yards distant, with results that satisfied them as to their accuracy at short distances. The force with which they threw the ball was demonstrated by a shot made by Mr. Percy Walker, the ball passing entirely through a gum tree six inches and seven-eighths in diameter, at a distance of one hundred yards.

The committee, therefore, report that in range and accuracy these guns are superior to the ordinary musket, and compared favorably with other rifled guns, and that they found no reason to induce them to believe that their strength or safety has been impaired by rifling.

Considering the peculiar circumstances surrounding us, and the great difficulty in procuring arms, they regard it as fortunate that so effective a weapon is in the possession of the State for distribution.

O. H. BYNUM,
Chairman Senate Committee.

The Senate proceeded to the consideration of the special order, it being the House bill to regulate judicial proceedings, and for other purposes, the question being the adoption of the first amendment reported by the committee.

Mr. McSpadden moved to lay the amendment on the table, which was lost. Yeas 7—nays 17.

YEAS—Messrs. Bynum, Heflin, Griffin, Jackson, McSpadden, Patton and Walker.

NAYS—Messrs. President, Austin, Brewer, Bullock, Calhoun, Cocke, Felder, Hill, Horn, Jemison, Jones of Fayette, Ligon, McIntyre, Rowe, Stone, Toulmin and Wood.

On motion by Mr. Jemison, the further consideration of the bill was postponed until to-morrow at 11 o'clock, and made the special order for that hour.

On motion by Mr. Bynum,

Resolved, That delegates to the Southern Commissioners from the States, and members and officers of the Conventions of other States, be and they are hereby invited to ~~seem~~ on the floor of the Senate.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES,
February 4th, 1861. }

Mr. President :

The House has originated and passed a bill to appropriate \$500,000 to the cause of Southern Independence.

The hour of 12 o'clock having arrived, the Senate was invited into the Hall of the House, for the purpose of electing in convention a Quartermaster General for the State of Alabama, to fill the vacancy occasioned by the resignation of R. T. Thorn.

The Senate repaired to the Hall of the House, when the two Houses in convention proceeded to the election of a Quartermaster General for the State of Alabama.

Mr. William R. Picket, of Montgomery, alone being in nomination, and having received ninety-one votes, it being the whole number cast, and a majority, Mr. Speaker declared him duly elected Quartermaster General for the State of Alabama, for the term prescribed by law.

The business of the convention being concluded, the Senate returned to its chamber, whereupon the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, February 5th.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To authorize the Governor to appoint a Military Board;

To incorporate the Central Insurance Company, at Tuscaloosa;

To legalize the suspension of specie payment by certain banks of Alabama.

Upon the call of the Districts, the following bills were introduced:

Mr. Wood, a bill to incorporate the Woodville Insurance Company, which was read three several times forthwith and passed;

Mr. Cocke, a bill for the relief of Burrel Johnson, of Perry county, which was read twice and referred to the Committee on Finance and Taxation.

Mr. Bullock, from the Committee on the Judiciary, reported favorably to the House bills:

To incorporate Ingram's Academy of Russell county;

To regulate the practice of the Supreme Court, and to amend section 2813 of the Code of Alabama;

All of which were severally read a third time and passed.

Also, adversely to the House bill to define the fees of sheriffs in the allotment of dower. The report was concurred in.

Mr. Cocke, from the Committee on Accounts and Claims, reported unfavorably to the House bill for the relief of M. J. Keenan, Sheriff of Dallas county.

Mr. Calhoun moved to lay the report on the table; which was lost.

The report was concurred in.

Also favorably, with the following amendment, to the bill for the relief of William M. Glass of Bibb county:

Strike out "two" and insert "one."

The amendment was adopted, and the bill read a third time and passed.

Mr. Walker, from the Committee on Internal Improvements, reported favorably to the House bill to compel the Memphis and Charleston Railroad Company to drain the ponds along the line of said road within the limits of Jackson and Limestone counties.

On motion by Mr. Jemison, the bill was re-committed, with instructions to report a bill of a general character.

By leave, Mr. Toulmin introduced a bill the better to provide for the safe keeping and security of all official bonds which have been or may hereafter be approved by the Governor.

The House bill to appropriate five hundred thousand dollars to the cause of Southern Independence, was read three several times forthwith and passed.

By leave, Mr. Bullock introduced the following bills:

To authorize the appointment of additional Lieutenants, and for other purposes;

To authorize the appointment of Engineers in the army;

For establishing rules and regulations for the government of the army of the State of Alabama;

Which were severally read twice and referred to the Military Committee.

The House bill to provide for the payment of members and officers of the General Assembly, was read twice and referred to the Committee on Finance and Taxation.

Message from the Governor by Mr. Phelan, his private Secretary.

Mr. President:

His Excellency, the Governor, has approved bills which originated in the Senate of the following titles:

An act for the relief of Robert S. Wilson;

An act to compensate Wm. S. Gray for apprehending a person therein named, charged with a felony;

An act to amend the charter of the city of Montgomery;

An act to amend an act incorporating Clintonville Academy in Coffee county;

An act to amend an act therein named;

An act for the relief of the children of Gabriel Wharton Long;

An act to legalize the suspension of specie payments by certain banks of Alabama.

Message from the House by Mr. Brewer.

Mr. President :

The House concurs in the Senate amendments to the following bills:

To prevent the destruction of fish in the Tennessee river;

To regulate the pay of witnesses in criminal cases;

Making appropriations for military defense.

The House has passed the Senate bills:

To incorporate the Central Insurance Company at Tuscaloosa;

For the better preservation of the Capitol building from fire;

To change the name of Buzbeeville in Coffee county to Victoria, and for other purposes;

To change the lines between the counties of Shelby and Jefferson;

For the relief of F. Vileret.

The House has originated and passed a bill authorizing the Governor to issue Treasury Notes.

The hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the House bill to regulate judicial proceedings, and for other purposes.

The question being on the adoption of the amendments reported by the committee,

Mr. Jemison moved to amend the first amendment reported by the committee as follows:

Provided, That the defendant or party in any suit against whom a judgment or decree may be rendered, shall, before issuance of execution thereon, have the right to enter into bond with good and sufficient security for the payment of such judgment or decree by the first Monday in February, 1862, the forfeiture of any such bond shall operate as a judg-

ment against the obligors on the whole amount of such debt, interests and costs, as in case of bonds taken under the preceding provisions of this section ; which was adopted.

Mr. McSpadden moved to amend as follows:

In section 2, by adding after the word "case," where it occurs in the 12th line, the following: "Upon the following property, to-wit:" (here set out the property levied upon); which was adopted.

Mr. Felder moved to amend the amendment as follows:

Provided, That no defendant who has defended the suit on which a judgment or decree is founded shall be entitled to the benefits of this act for the stay of execution conferred herein.

The amendment was laid on the table—Yeas 22, nays 3.

YEAS—Messrs. President, Brewer, Bullock, Bynum, Calhoun, Cocke, Griffin, Heflin, Higgins, Horn, Jackson, Jemison, McSpadden, Mitchell, Morgan, Patton, Rowe, Stone, Toulmin, Walker, Wood and Woodward.

NAYS—Messrs. Felder, Jones of Fayette and Ligon.

A division of the question being called for on the first amendment of the committee, the question was first taken on striking out the second and third sections of the House bill; which being first, was carried.

Mr. Stone moved to amend the amendment by substituting for the amendment of the committee as follows:

Section 2. Be it further enacted, That in case where any execution shall have issued, or may be issued, founded upon any judgment or decree of any court of record in this State, it shall and may be lawful for the sheriff or other officer, authorized to levy such execution, to take from the defendant or defendants thereon a forthcoming bond with at least two good sureties, conditioned for the delivery of any property levied upon to satisfy such executions at the place where the same may be made returnable on the return day of such execution; and in the event of a failure to deliver such property on the return day of the execution according to the condition of the forthcoming bond, the sheriff or other officer levying such execution shall return such forthcoming bond "forfeited," and such return shall have the force and effect of a judgment against the principal and sureties therein for the full amount of the original judgment and interest and costs thereon, and execution shall issue thereon accordingly; and thereafter no additional forthcoming bond shall be taken.

Mr. McSpadden moved to lay the amendment on the table; which was lost—Yeas 9, nays 18.

YEAS—Messrs. Bullock, Cocke, Griffin, Heflin, Jackson, McSpadden, Mitchell, Walker and Wood.

NAYS—Messrs. President, Austin, Brewer, Bynum, Calhoun, Felder, Higgins, Horn, Jemison, Jones of Fayette, Ligon, McIntyre, Morgan, Patton, Rowe, Stone, Toulmin and Woodward.

The Senate substitute was adopted—Yeas 16, nays 11.

YEAS—Messrs. President, Austin, Brewer, Bynum, Calhoun, Felder, Horn, Jemison, Jones of Fayette, Ligon, McIntyre, Patton, Rowe, Stone, Toulmin and Woodward.

NAYS—Messrs. Bullock, Cocke, Griffin, Heflin, Higgins, Jackson, McSpadden, Mitchell, Morgan, Walker and Wood.

Mr. Bullock moved to amend as follows:

Add to section 1st the following: Provided further, That the provisions of this section shall apply to all writs, summonses, complaints and bills returned to the spring term, 1861, of the Circuit and Chancery Courts, whether issued before or after the passage of this act.

The amendment was adopted.

Mr. McSpadden moved to amend as follows:

Add after the word "execution," where it occurs in the 7th line of section 2, the following: "On the first day of the term of said court to be held next after the first day of January, 1862, which shall be the return day of each execution.

The amendment was laid on the table.

Mr. Felder moved to amend as follows: Provisions of this act shall not apply to judgments or decrees in favor of trustees, executors, administrators and guardians, or where money has been loaned out under order of the Chancery Courts. The amendment was lost.

Mr. Bullock moved to amend the fifth section, by inserting after the words "county tax" the words "or tax fee." The amendment was adopted.

Mr. McSpadden moved to amend as follows: Strike out the words "on the first Saturday of January, April, July and October," where they occur in the second and third lines of section four, and insert in lieu thereof the words "the times for holding the same to be determined by the justices of each beat." The amendment was laid on the table. Yeas 17—nays 10.

YEAS—Messrs. President, Austin, Brewer, Bynum, Calhoun, Felder, Jemison, Jones of Fayette, Ligon, McIntyre, Mitchell, Morgan, Patton, Rowe, Stone, Toulmin and Woodward.

NAYS—Messrs. Bullock, Cocke, Griffin, Heflin, Higgins, Horn, Jackson, McSpadden, Walker and Wood.

Mr. Ligon moved to strike out the words "county tax" in the fifth section, which was lost.

Mr. Felder moved to amend the fifth section in the tenth line by inserting after the word "circuit" the words "or county," which was adopted.

Mr. Bullock moved to amend as follows, as an additional section :

SEC. 7. Be it further enacted, That all laws and parts of laws assessing damages upon appeals to the Supreme Court be, and the same are hereby repealed. The motion was carried.

Mr. Wood moved to amend as follows, by additional section :

SEC. 8. Be it further enacted, That all laws or parts of laws providing for the assessment of damages or bills of exchange, foreign or domestic, be and the same are hereby repealed. The amendment was lost. Yeas 16—nays 10.

YEAS—Messrs. President, Austin, Brewer, Cocke, Felder, Griffin, Horn, Jackson, Jemison, Ligon, Morgan, Patton, Rowe, Walker and Woodward.

NAYS—Messrs. Bullock, Calhoun, Heflin, Higgins, Jones of Fayette, McIntyre, McSpadden, Stone, Toulmin and Wood.

Mr. Felder moved to amend as follows :

Provided, That such defendant shall first pay one-fourth of the debt before he shall be entitled to the stay given by the provisions of this act.

Mr. McSpadden moved to amend the amendment as follows : Provided, This amendment shall apply alone to Montgomery county. Both amendments were laid on the table. Yeas 23—nays 3.

YEAS—Messrs. President, Brewer, Bullock, Bynum, Calhoun, Cocke, Griffin, Heflin, Higgins, Horn, Jackson, Jemison, McIntyre, McSpadden, Mitchell, Morgan, Patton, Rowe, Stone, Toulmin, Walker, Wood and Woodward.

NAYS—Messrs. Felder, Jones of Fayette and Ligon.

Mr. McSpadden moved to lay the bill on the table, which was lost. Yeas 8—nays 18.

YEAS—Messrs. President, Brewer, Cocke, Felder, Jones of Fayette, Ligon, McSpadden and Rowe.

NAYS—Messrs. Bullock, Bynum, Calhoun, Griffin, Heflin, Higgins, Horn, Jackson, Jemison, McIntyre, Mitchell, Morgan, Patton, Stone, Toulmin, Walker, Wood and Woodward.

The bill was read a third time forthwith and lost.

YEAS—Messrs. Bullock, Bynum, Griffin, Heflin, Higgins, Horn, Jackson, McIntyre, Morgan, Stone, Walker, Wood and Woodward.

NAYS—Messrs. Brewer, Calhoun, Cocke, Felder, Jemison, Jones of Fayette, Ligon, McSpadden, Mitchell, Patton, Rowe and Toulmin.

Leave of absence was granted Messrs. Calhoun, Woodward and Hill.

The Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, February 6th, 1861.

The Senate met pursuant to adjournment.

On motion by Mr. McSpadden, the vote by which the Senate refused to pass the bill to regulate judicial proceedings, and for other purposes, was reconsidered, and the bill placed among the general orders.

Upon the call of the Districts, the following bills were introduced:

Mr. Ligon, a bill to amend section 1141 of the Code, which was read twice and referred to the Committee on Roads, Bridges and Ferries;

Mr. Felder, a bill to authorize books to be opened at the city of Montgomery for subscription to the capital stock of the Bank of Alabama.

Mr. Brewer, a bill for the relief of the heirs of J. W. Kilpatrick, deceased;

Also, a bill to confer upon the Intendant of the town of Rockford the powers of a justice of the peace;

Mr. Morgan, a bill to prohibit any person from giving away, selling or offering for sale any vinous or spirituous liquors within three miles of Lineville Baptist Church, in Shelby county, or within one mile of Hamburg, in Perry county;

All of which were severally read three times forthwith and passed.

Mr. Bynum, from the Committee on the Military, reported favorably to the bill for establishing rules and regulations for the government of the army of Alabama.

Mr. Austin, from the same committee, reported favorably to the bills:

Authorizing the appointment of engineers in the army;

To authorize the appointment of additional lieutenants, and for other purposes;

All of which were severally read a third time and passed.

Mr. Bullock, from the Judiciary Committee, reported favorably to the bill to change the time of holding the Chancery Courts for the Fourth and Fifth Districts of the Southern Chancery Division. The bill was read a third time and passed.

Mr. Cocks, from the Committee on Accounts and Claims, reported adversely to the bill for the relief of Samuel Prentice and James D. Baine, of Marshall county. The report was concurred in.

Mr. Rowe, from the Committee on Accounts and Claims, reported a substitute for the bill to pay W. B. & A. R. Bell an account.

The substitute was adopted, and the bill read a third time.

Mr. Jemison, from the Committee on Finance and Taxation reported favorably, with the following amendments, to the bill to provide for the payment of members and officers of the General Assembly:

In the second paragraph, strike out after the word "aforesaid," and insert "and mileage agreeable to the provisions of an act passed at the last session of the Legislature entitled an act to amend section 43 of the Code regulating mileage approved 21st February, 1860," which was adopted.

Second, in the last paragraph strike out the words "and fifty."

The Senate refused to adopt the amendment.

The bill was read a third time and passed.

Also, favorably to the bill for the relief of Burrell Johnson and other persons therein named, of Perry county.

The bill was read a third time and passed.

Mr. Bullock, from the Committee on the Judiciary, reported favorably to the House bill to incorporate the Mechanics' Aid Society, of Selma.

Mr. Bullock moved to amend by additional sections, as section 10 and section 11.

The amendments were adopted, and the bill read a third time and passed.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 6, 1861. }

Mr. President:

The House has originated and passed the bills:

To encourage and promote the manufacturing interest of the State of Alabama;

To increase the contingent fund of the State;

To repeal section 1155 of the Code, and to amend the law in relation to the Overseer of the Roads;

To further secure subordination among slaves;

To facilitate the taking of testimony by depositions;

To punish sales of liquors to free negroes, and for other purposes;

To change the jurisdiction of the trust estate of Frances Durden;

To enable the guardian of Francis M. Brown to remove the guardianship of his said ward to Macon county;

To authorize John S. Moragne to erect a dam across Big Will's creek;

For the relief of R. T. Campbell, tax collector of Choctaw county;

For the relief of Frederica Ludicus, and other persons;

Joint resolutions for the relief of Thomas Wilson, and others, of Jackson county.

The House has amended, as therein shown, and passed the Senate bills:

To fix the times of holding the Circuit Courts in the 4th judicial circuit;

To remove the administration of the estate of Thomas Green from the county of Winston to the county of Lauderdale in this State;

To repeal in part section 2 of an act regulating tax on peddling.

The House has passed the following bills:

For the relief of George G. Henry of Mobile county;

To repeal and act therein named in relation to the encouragement of direct trade;

To authorize Benjamin H. Micou to settle his accounts as guardian, in the Probate Court of Montgomery county;

To authorize a removal of the administration of the estate of Thomas J. Walker, deceased;

To repeal article 3, chapter 1, title 2, of the Code of Alabama.

ALBERT ELMORE, Clerk.

Mr. Jemison, from the Committee on Finance and Taxation, reported a substitute for the bill to provide the means of relief against the effects of the short crops raised in the State of Alabama in the year 1860, with the following title:

To authorize the issuance of bonds by the Commissioners' Courts of the several counties in this State for certain purposes; which was adopted.

Mr. Felder moved to amend as follows :

Provided, That the provisions of this act shall not apply to the counties of Montgomery and Tallapoosa.

The amendment was lost.

Mr. Griffin moved to amend as follows :

Be it further enacted, That before the Commissioners' Court of the county of Russell shall comply with the provisions of this act, they shall submit the same to the legal voters of said county, (on the first Monday in April, 1861,) entitled to vote for members of the legislature; and all who vote in favor shall vote "approved," those voting against shall vote "no." And should a majority of the voters of said county vote in favor of this law, then the said Commissioners shall proceed to comply with the provisions; but not otherwise. Said election to be conducted under the same rules and regulations of the elections for members of the legislature.

Mr. Felder moved to amend by inserting Montgomery after Russell

Mr. Higgins moved to lay the bill and amendments on the table.

A division of the question being called for, the question was first taken on laying the amendments on the table; which was carried—Yeas 21, nays 3.

YEAS—Messrs. President, Austin, Brewer, Bullock, Bynum, Cocke, Heffin, Higgins, Horn, Jackson, Jemison, Jones of Fayette, McIntyre, McSpadden, Morgan, Patton, Rowe, Stone, Toulmin, Walker and Wood.

NAYS—Messrs. Felder, Griffin and Mitchell.

The question recurring on laying the bill on the table; it was lost—Yeas 10, nays 14.

YEAS—Messrs. President, Austin, Bynum, Felder, Griffin, Higgins, Jackson, Jones of Fayette, Mitchell and Rowe.

NAYS—Messrs. Brewer, Bullock, Cocke, Heffin, Horn, Jemison, McIntyre, McSpadden, Morgan, Patton, Stone, Toulmin, Walker and Wood.

Mr. Horn moved to amend as follows :

Be it further enacted, That the provisions of this act shall not apply to persons who did not reside in the county in which they ask for assistance at the time of the passage of this act: Provided, that they shall show, to the satisfaction of the proper authority, that it is entirely owing to the short crop that they ask this assistance, and not from any improvidence on their part.

Mr. Morgan moved to lay the amendment on the table; which was lost—Yeas 12, nays 10.

YEAS—Messrs. Austin, Brewer, Bullock, Bynum, Cöcke, Higgins, Jemison, McSpadden, Morgan, Toulmin, Walker and Wood.

NAYS—Messrs. President, Felder, Heflin, Horn, Jackson, Jones of Fayette, Mitchell, Patton, Rowe and Stone.

Mr. Jemison moved to lay the bill and amendments on the table.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the general orders.

The first in order being the bill to regulate judicial proceedings, and for other purposes,

Mr. McSpadden moved to amend by engrossed ryder, as follows:

Amend section 2 in the 7th line as follows, to-wit: "On the first day of the term of the Court from which the same was issued, to be holden after the first day of September, 1861, which term is hereby declared the return term of said execution.

The amendment was read three times and lost.—Yeas 9, nays 12.

YEAS—Messrs. Bullock, Griffin, Heflin, Higgins, Horn, McSpadden, Morgan, Walker and Wood.

NAYS—Messrs. President, Austin, Bynum, Felder, Jackson, Jemison, Ligon, McIntyre, Patton, Rowe, Stone and Toulmin.

Mr. Walker moved to amend, by way of engrossed ryder, as section 9.

The engrossed ryder was read three times and passed.—Yeas 13, nays 9.

YEAS—Messrs. Brewer, Bullock, Griffin, Heflin, Higgins, Horn, McIntyre, McSpadden, Morgan, Rowe, Stone, Walker and Wood.

NAYS—Messrs. President, Austin, Bynum, Felder, Jackson, Jemison, Ligon, Patton and Toulmin.

Mr. Bullock moved to amend as follows, by engrossed ryder:

Add, at the end of section 7, "and no tax fee shall be allowed in the Supreme Court on appeals, unless the appellant appears by counsel and litigates the same;" which was read three times and passed.

The bill passed.—Yeas 13, nays 9.

YEAS—Messrs. Austin, Bullock, Griffin, Heflin, Higgins, Horn, Jackson, McIntyre, McSpadden, Morgan, Stone, Walker and Wood.

NAYS—Messrs. President, Brewer, Bynum, Cocke, Felder, Jamison, Ligon, Mitchell, Patton, Rowe and Toulmin.

Ordered forthwith to the House.

The Senate proceeded to the consideration of the special order, it being the bill to repeal a certain prohibitory clause in the fifth section of the act incorporating the Insurance Company at Opelika, and for other purposes.

The question being on concurring in the report of the committee, Mr. Griffin moved to lay the report on the table; which was carried.

Mr. Griffin moved to amend by way of substitute of the following title:

To amend an act approved February 25th, 1860, incorporating the Opelika Insurance Company, and for other purposes.

The substitute was adopted, and the bill read a third time and passed.

Ordered to the House.

By leave, Mr. Bullock introduced a bill to authorize the employment of a clerk in the office of the Adjutant and Inspector General, appointed under the military ordinance of January 19th, 1861; which was read twice.

Mr. Bullock moved to amend by filling the blank with eight hundred dollars; which was carried.

Mr. Mitchell moved to refer the bill to the Committee on the Military; which was lost.

The bill was read a third time and passed.

The bills

Further to define the duties of the Judges of the Probate Courts of this State;

For the relief of Horace King and family, and Solomon Perteat and wife, and others; were severally read a third time and passed.

The House bill for the relief of Wm. C. Penick was read a third time and passed.—Yeas 14, nays 3.

YEAS—Messrs. President, Bullock, Bynum, Felder, Griffin, Horn, Jackson, Ligon, Mitchell, Patton, Rowe, Stone, Walker and Wood.

NAYS—Messrs. Bynum, Morgan and Toulmin.

The House bills

To secure the rights of patentees and authors and their assignees in the State of Alabama; and

To incorporate the Chulafinnee Academy in Randolph county;

Which were severally read three times forthwith and passed.

The House bill to promote military efficiency, and for other purposes, was read three times.

Mr. Bullock moved to amend as follows, by way of engrossed ryder:

Section 2. Be it further enacted, That the provisions of this act be and the same are hereby extended to Capt. John N. Perkins, late of the United States army, a citizen of Alabama.

The engrossed ryder was read three times and passed.

The bill passed.

The House bill to compensate White, Pfister & Co., was read twice and referred to the Committee on Accounts and Claims.

On motion by Mr. Horn,

Resolved, by the Senate of Alabama, (the House of Representatives concurring,) That the Hon. John Robertson, Commissioner from the State of Virginia to the Governor of this State, be requested to address the two Houses of the General Assembly, in the Hall of the House of Representatives, on this evening at 7½ o'clock, or at such other time as may suit his convenience.

2d. Resolved, That the Delegates to the Congress of the Independent States of South Carolina, Florida, Alabama, Georgia, Mississippi and Louisiana, and the Commissioners from North Carolina and other States be invited to seats in said Hall upon the occasion aforesaid.

3. Resolved, That a joint committee of six, three from each House, be appointed to confer with Judge Robertson, and solicit his compliance with the request.

The House bill authorizing the Governor to issue Treasury Notes was read twice and referred to the Committee on Accounts and Claims.

The Senate concurred in the amendment made by the House to the caption of the bill to repeal in part section 2 of an act therein named.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, February 7th.

The Senate met pursuant to adjournment.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 7, 1861. }

Mr. President:

The House concurs in the Senate resolutions inviting Hon.

John Robertson, Commissioner from Virginia, to address the General Assembly, and appoint Messrs. Walker, Lyon and Hubbard the Committee on the part of the House, to wait upon him and make the necessary arrangements.

The House has originated and passed the bills:

To authorize the Commissioners' Court of Coosa county to issue bonds of said county for the relief of the suffering citizens of said county.

For the sale of the swamp and overflowed lands of the State of Alabama, and for other purposes;

To amend section 1045 of the Code in relation to free colored mariners;

To authorize the appointment of a branch pilot for certain waters running into the bay of Mobile;

To amend an act to create a clerkship in the Comptroller's office;

To incorporate the Eufaula Home Insurance Company;

To amend a certain act therein named, in relation to the Alabama Insurance and Exchange Company, at Tuskegee;

To repeal an act to render more efficient the system of free public schools in the State of Alabama, so far as relates to the county of Baldwin;

To provide for the election of certain militia officers for the State of Alabama;

To establish provisional postal communication with Pensacola;

To divorce Elifair Porter from Joseph Porter, and to divorce other persons therein named;

For the relief of Wm. H. Noel;

Joint resolutions for the relief of John H. Norwood and others of Jackson county;

To loan arms and accoutrements to C. M. & J. A. Law;

To amend an act entitled an act to incorporate the South-western Railroad Company;

To incorporate the Mobile and Jacksonville Omnibus and Railroad Company;

Declaring Five Runs a public highway.

The House reported the Senate bill for the relief of Jonathan Cooper, of Russell county.

The House has passed the Senate bills:

To appropriate and dispose of the two per cent. fund now in the treasury of the State;

To induce railroad companies in the State to carry troops and munitions of war for this State free of charge.

The House has amended and passed the Senate bills:

To extend the time for the payment of taxes into the State treasury, and for other purposes;

To repeal all tax on pistols.

The House bills for the relief of Frederica Ludicus and other persons;

To increase the contingent fund of the State;

To amend an act to provide for the military education of two young men from each county in the State of Alabama;

In relation to the guardians of idiots, lunatics, and persons *non compos mentis*;

To authorize John S. Moragne to erect a dam across Big Will's creek;

To authorize the Commissioners' Court of Coosa county to issue bonds of said county for the relief of the suffering citizens of said county;

To repeal section 1155 of the Code, and to amend the law in relation to overseers of roads;

Further to secure subordination among slaves;

To punish sales of liquors to free negroes, and for other purposes;

To enable the guardian of Frances M. Brown to remove the guardianship of his said ward to Marion county;

For the relief of R. S. Campbell, tax collector of Choctaw county;

Joint resolutions for the relief of Thomas Wilson and others of Jackson county;

For the sale of the swamp and overflowed lands of the State of Alabama, and for other purposes;

To amend section 1045 of the Code in relation to free colored mariners;

To amend an act to create a clerkship in the Comptroller's office;

To authorize the appointment of a branch pilot for certain waters running into Mobile Bay;

To incorporate the Eufaula Insurance Company;

To amend a certain act therein named in relation to the Alabama Insurance and Exchange Company, at Tuskegee;

To repeal an act to render more efficient the system of free public schools in the State of Alabama, so far as relates to the county of Baldwin;

To provide for the election of certain militia officers of the State of Alabama;

To amend an act entitled an act to incorporate the South-western Railroad Company;

Joint resolutions for the relief of John H. Norwood and others, of Jackson county;

For the relief of Wm. A. Noel;
 To loan arms and accoutrements to E. M. & J. A. Law;
 To incorporate the Mobile and Jacksonville Omnibus and
 Railroad Company;
 Declaring Five Runs a public highway;
 Were all severally read three times under a suspension of
 the rules and passed.
 A message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
 February 7th, 1861. }

Mr. President :

The House concurs in the amendment made by the Senate to the House bill to regulate judicial proceedings, and for other purposes.

Mr. Brewer introduced a bill to pay for hire of servants for the General Assembly and Convention.

Mr. Bullock, a bill to compensate certain officers therein named.

Mr. Wood, a bill to compensate James Hiltin, of Henry county, for services rendered the State, which were severally read three times forthwith and passed, and ordered forthwith to the House.

Mr. Griffin, a bill to exempt certain parties from the operation of the law of garnishment, which was read twice and laid on the table. Yeas 15—nays 4.

YEAS—Messrs. President, Austin, Brewer, Bullock, Bynum, Heflin, Higgins, Jackson, Ligon, McSpadden, Morgan, Patton, Rowe, Stone, Toulmin and Walker.

NAYS—Messrs. Felder, Griffin, Lyon and Wood.

On motion by Mr. Brewer,

Resolved, That the Secretary of the Senate be authorized to employ such assistant clerks as may be necessary to transact the engrossing and enrolling business of the Senate, to be paid at the rate of five dollars per day for the time actually employed.

Reports from the Committees being in order, the Senate proceeded to consider the bill reported by the committee on yesterday under consideration, to-wit:

The bill to authorize the issuance of bonds by the Commissioners' Courts of the several counties in this State for certain purposes.

The question pending being Mr. Jemison's motion to lay the bill and amendments on the table; which was carried.—
 Yeas 11, nays 10.

YEAS—Messrs. President, Austin, Bynum, Felder, Griffin, Higgins, Jackson, Mitchell, Rowe, Stone and Toulmin.

NAYS—Messrs. Brewer, Bullock, Heflin, Horn, Ligon, McSpadden, Morgan, Patton, Walker and Wood.

Mr. Brewer, from the Committee on Roads, Bridges and Ferries, reported adversely to the bill to amend section 1141 of the Code.

The report was concurred in.

Mr. Morgan, from the Committee on Accounts and Claims, reported favorably, with the following amendments, to the House bill to compensate White, Pfister & Co., for stationery :

Strike out "eight hundred and twenty-three dollars and fifty cents," where it occurs in the bill, and insert "seven hundred dollars."

The amendment was adopted, and the bill read a third time and passed.

Mr. McSpadden, from the Select Committee, reported a substitute for the bill to repeal an act to fix the boundary line between the counties of Cherokee and Benton, with the following title :

To repeal an act making Nathan Rivers of Cherokee county a citizen of Benton county.

The substitute was adopted and the bill lost, the constitutional majority of two-thirds not voting.

The House bill to encourage and promote the manufacturing interest in the State of Alabama, was read twice and referred to the Committee on Finance and Taxation.

The Senate concurred in the amendments by the House to the bills—

To extend the time for the payment of taxes into the State treasury, and for other purposes ;

To compensate William Skinner and J. S. Clark ;

To remove the administration of the estate of Thomas Green from the county of Winston to the county of Lawrence in this State ;

To fix the time of holding the Circuit Court of the fourth judicial circuit.

Message from the Governor by Mr. Phelan, his private Secretary.

Mr. President :

His Excellency, the Governor, has approved bills which originated in the Senate, of the following titles :

To revive and amend the charter, and change the name of the South Alabama Mining, Manufacturing and Transportation Company;

To authorize the Governor to appoint a Military Board;

To incorporate the Central Insurance Company at Tuscaloosa.

I also herewith transmit to the Senate, in which it originated, without the approval of the Governor and with his objections thereto,

“A bill to be entitled an act to change the name of Buzbee-ville in Coffee county, and for other purposes.”

Veto Message:

EXECUTIVE DEPARTMENT,
Montgomery, Feb. 7th, 1861. }

Gentlemen of the Senate:

A bill to be entitled “an act to change the name of Buzbee-ville in Coffee county to Victoria, and for other purposes,” is herewith returned to the Senate without my approval, for the same reason which has induced me to withhold my sanction from all bills creating an entire prohibition of the sale of ardent spirits.

Although this bill is so framed as not to prohibit by legislative enactment the sale of ardent spirits within the limits therein named, yet it gives to the majority of the voters thereof the power to restrict its sale for any purpose whatever. The same reasons which have heretofore induced me to withhold my approval of certain bills restricting the sale of spirituous liquors, apply with equal force to the provisions of this bill.

Respectfully,

A. B. MOORE.

The Senate refused to pass the bill.—Yeas 3, nays 15.

YEAS—Messrs. President, Brewer and Horn.

NAYS—Messrs. Bullock, Bynum, Cocke, Felder, Heflin, Higgins, Jackson, McSpadden, Mitchell, Morgan, Patton, Rowe, Stone, Toulmin and Walker.

By leave, Mr. Bullock introduced a bill to aid the Alabama and Florida Railroad Company; which was read three several times forthwith and passed.

Ordered forthwith to the House.

Mr. Patton, from the Committee on Finance and Taxation, reported favorably on the bill to authorize the Governor to issue treasury notes.

The bill was read a third time and passed.

Ordered forthwith to the House.

The Senate concurred in the amendment made by the House to the caption of the bill to repeal tax on pistols.

The bill to facilitate the taking of testimony by depositions was read twice and laid on the table.

The bill to change the jurisdiction of the trust estate of Francis Durden was read a first time and ordered to a second reading.

The House bill to establish provisional postal communication with Pensacola was read three times and laid on the table.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To change the name of Buzbeeville in Coffee county to Victoria, and for other purposes;

To induce Railroad companies in this State to carry troops and munitions of war for this State free of charge;

To appropriate and dispose of the two per cent. fund now in the treasury of the State.

On motion by Mr. Bynum, the Senate adjourned until tomorrow morning at 10 o'clock—Yeas 13, nays 8.

YEAS—Messrs. President, Austin, Bullock, Bynum, Cocke, Griffin, Higgins, Horn, Jackson, Ligon, Mitchell, Patton and Stone.

NAYS—Messrs. Brewer, Felder, Heflin, McSpadden, Morgan, Toulmin and Walker.

TUESDAY, February 8th.

The Senate met pursuant to adjournment.

Mr. Ligon introduced a bill to enable the guardian of the minor heir of J. H. Terrel, deceased, to remove the guardianship to Macon county; which was read three times forthwith and passed.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 8, 1861. }

Mr. President:

The House refuses to concur in the Senate amendments to the House bill to provide for the payment of members and officers of the General Assembly.

The House has adopted the following resolution:

Resolved, (with the concurrence of the Senate,) That the

two Houses adjourn *sine die* at 12 o'clock M., on Monday, the 11th of February, 1861.

The House has originated and passed the following bills:

To amend the act to incorporate the Southern Express Company;

For the relief of volunteer companies in the counties of Barbour, Wilcox, and others therein named;

Explanatory of, and supplemental to, an act passed at the present session entitled an act to regulate judicial proceedings, and for other purposes.

The House concurs in the Senate amendments to the House bills—

To incorporate the Mechanics' Aid Association of Selma;

To promote military efficiency, and for other purposes.

The House has passed the following Senate bills:

For the relief of Wm. M. Glass of Bibb county;

For the relief of Burrell Johnson, and other persons therein named, of Perry county;

To exempt certain property from levy and sale, for the use of families;

To authorize the appointment of engineers in the army;

To compensate certain persons therein named;

The better to provide for the safe keeping and security of all official bonds which may have been or may hereafter be approved by the Governor;

To amend the charter of the town of Tuskegee;

To confer upon the Intendant of the town of Rockford the powers of a justice of the peace;

For the relief of the heirs of J. W. Kilpatrick, deceased;

To aid the Alabama and Florida Railroad Company;

To authorize the appointment of additional lieutenants, and for other purposes;

For establishing rules and regulations for the government of the army of the State of Alabama;

To authorize books to be opened at the city of Montgomery for subscriptions to the capital stock of the Bank of Alabama;

To amend the charter of the incorporation of the town of Alabama;

To prohibit any person or persons from giving away, selling, or offering for sale, any vinous or spirituous liquors within three miles of Lineville Baptist Church, in Shelby county, or within one mile of Hamburg, in Perry county.

The House has amended as therein shown and passed the Senate bills:

To amend an act approved February 25th, 1860, incorporating the Opelika Insurance Company, and for other purposes;

To incorporate the Woodville Insurance Company;

To incorporate the Eufaula Marine and Fire Insurance Company.

ALBERT ELMORE.

The Senate proceeded to consider the resolution of the House proposing that the two Houses adjourn *sine die* on Monday, the 11th inst., at 12 o'clock m.

Mr. Bynum moved to strike out Monday, the 11th inst., and insert the 9th inst., which was carried.

Mr. Patton, from the Committee on Finance and Taxation, reported favorably to the House bill to encourage and promote the manufacturing interest in the State of Alabama.

Mr. Bynum moved to amend as follows:

Provided, That the provisions of this act shall also extend to all persons engaged in the raising of cotton and corn, and also those engaged in the culture of the grape.

Mr. Jackson moved to lay the bill and amendment on the table. A division of the question being called for, the question was first taken on laying the amendment on the table, which was carried. Yeas 15—nays 6.

YEAS—Messrs. President, Austin, Bullock, Cocke, Felder, Higgins, Ligon, McIntyre, McSpadden, Morgan, Patton, Rowe, Stone, Toulmin and Walker:

NAYS—Messrs. Brewer, Bynum, Heflin, Jackson, Mitchell and Wood.

The question was then taken on laying the bill on the table, which was carried. Yeas 14—nays 7.

YEAS—Messrs. President, Brewer, Bynum, Cocke, Felder, Heflin, Higgins, Jackson, McIntyre, McSpadden, Mitchell, Stone, Toulmin and Wood.

NAYS—Messrs. Austin, Bullock, Ligon, Morgan, Patton, Rowe and Walker.

Mr. Patton, from the Committee on Banks and Banking, reported adversely to the bill to secure the sale of the bonds of the State of Alabama to the Bank of Selma at par, and for other purposes.

Mr. Walker moved to lay the report on the table, which was carried.

Mr. Walker moved to amend as follows: In the seventh line of section two, strike out "three," and insert "two," which was adopted.

At the close of section three add: "Provided, That each stockholder during the time that he or she may hold stock in said Bank of Selma, and for six months after said stockholder may have transferred his or her stock, or any part thereof, shall out of his or her personal and real estate be liable for the debts and liabilities of said Bank after the assets thereof shall have been exhausted, and if any incorporated company shall or doth hold or own any stock in said bank, the individuals composing and owning stock in said incorporated company, shall each be liable out of his or her personal and real estate for the debts and liabilities of the Bank of Selma to the same extent and in like manner as individuals holding stock in said banks and by this act made liable; provided, the State shall not pay any interest on the bonds so to be sold to the Bank of Selma if said bank shall suspend for and during the term of such suspension of specie payments." The amendment was adopted.

The Senate refused to order the bill to a third reading. Yeas 8—nays 13.

YEAS—Messrs. Cocke, Heflin, Ligon, McIntyre, Mitchell, Morgan, Rowe and Walker.

NAYS—Messrs. President, Austin, Brewer, Bullock, Bynum, Felder, Higgins, Jackson, McSpadden, Patton, Stone, Toulmin and Wood.

Mr. Cocke, by leave, introduced a bill to authorize the Commissioners' Court of the counties of Bibb and Perry to provide relief in certain cases, which was read three several times and passed. Ordered forthwith to the House.

Mr. Bullock, by leave, introduced a bill to regulate the fees of solicitors in certain cases, which was read three several times and passed. Ordered forthwith to the House.

Mr. McIntyre, by leave, introduced a bill to change the time when sheriffs elect of the county of Pike shall assume the duties of the office, which was read twice.

On motion by Mr. Bynum, the second section was stricken out, and the bill read a third time and passed. Ordered forthwith to the House.

The Senate concurred in the amendments made by the House to the bills:

To incorporate the Eufaula Marine and Fire Insurance Company;

To amend an act approved 25th February, 1860, incorporating the Opelika Insurance Company, and for other purposes;

To incorporate the Woodville Insurance Company.

The House bill explanatory and supplemental to an act passed at the present session entitled an act to regulate judicial proceedings, and for other purposes, was read twice.

Mr. McSpadden offered the following amendment :

SEC. 2. Be it further enacted, That none of the provisions of the act to which this is a supplement shall be so construed as to affect any contract which has been or may be entered into by the State of Alabama with any railroad company, which was adopted and the bill read a third time and passed.

The House bill to amend an act to incorporate the Southern Express Company was read three times and passed. Yeas 11—nays 6.

YEAS—Messrs. President, Austin, Brewer, Bullock, Felder, Higgins, Ligon, McIntyre, Mitchell, Patton and Stone.

NAYS—Messrs. Bynum, Heflin, Jackson, McSpadden, Walker and Wood.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 8, 1861. }

Mr. President :

The House has originated and passed a bill to authorize the employment of a clerk in the State Treasurer's office.

The House has passed the Senate bill to authorize the employment of a clerk in the office of the Adjutant and Inspector General appointed under the ordinance of the 19th Jan., 1861.

The House still refuses to concur in the amendments to the House bill to provide for the payment of members and officers of the General Assembly, and appoints Messrs. Chambers, Walker and Gilchrist a committee of conference on the part of the House to act upon the same.

The House refuses to concur in the amendment of the Senate to the House bill to compensate White, Pfister & Co., for stationery.

Messrs. Bullock, Bynum and Patton were appointed the committee of conference on the part of the Senate, to act with the committee on the part of the House upon the bill to provide for the payment of the members and officers of the General Assembly.

The House bill for the relief of volunteer companies in the counties of Barbour, Wilcox, and others therein named, was read twice.

Mr. Higgins moved to amend as follows: Strike out the words "counties of Barbour, Wilcox, Limestone, Franklin,

Butler, Chambers, Monroe, Shelby, Jefferson and Macon," and insert "State of Alabama." The amendment was adopted.

Mr. Felder moved to amend as follows: "Provided, that the Commissioners' Courts of the several counties of this State shall be and are hereby empowered to increase the pay of jurors in their several counties, whenever in their opinion such increase shall be necessary," which was laid on the table.

The bill was read a third time and passed.

The Senate refused to recede from its amendments to the House bill to compensate White, Pfister & Co., for stationery.

The House bill to authorize the employment of a clerk in the Treasurer's office was read twice.

Mr. Brewer moved to strike out the first section, which was lost. The bill was read a third time and passed.

The House bill to pay the accounts of John Powell, T. S. Doran and R. S. Wynne, therein named, was read twice and referred to a select committee, consisting of Messrs. Morgan, Felder and Wood.

Mr. Bullock, from the joint committee of conference of the two Houses on the Senate amendment to the House bill to provide for the payment of officers of the General Assembly reported the following amendment in lieu of the Senate amendment, as

SEC. 2. Be it further enacted, That nothing herein contained shall be construed to allow Senators and Representatives elected since the first Monday in August, 1859, more mileage than is provided by the act of 21st February, 1860, entitled an act to amend section 43 of the Code. The amendment was adopted.

Mr. Felder introduced a bill for the election of officers in certain volunteer companies, which was read three several times and passed.

Message from the House, by Mr. Brewer.

HOUSE OF REPRESENTATIVES,
February 8th, 1861. }

Mr. President:

The House has originated and passed a bill for the relief of Wm. D. Perryman, Sheriff of the county of Butler.

The House bill for the relief of Wm. D. Perryman, Sheriff of the county of Butler, was read three several times and passed.

On motion by Mr. Cocke, the Senate took a recess for a half of an hour.

At the expiration of a half an hour the President called the Senate to order, when the Senate adjourned until tomorrow morning at 10 o'clock.

SATURDAY, February 9th.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

For the relief of George G. Henry, of Mobile county;

To repeal an act therein named in relation to the encouragement of direct trade;

Supplemental to an act to establish a hospital for insane persons in Alabama;

To authorize a removal of the administration of the estate of Thomas J. Walker, deceased;

To repeal article third, chapter first, title second, of the Code of Alabama;

To repeal in part section second of an act regulating tax on peddling;

To extend the time for payment of taxes into the State Treasury, and for other purposes;

To authorize Benjamin H. Micou to settle his accounts as guardian in the Probate Court of Montgomery county;

An act to fix the time of holding the Circuit Courts in the Fourth Judicial Circuit;

To remove the administration of the estate of Thomas Green from the county of Winston to the county of Lawrence in this State;

An act to repeal article thirty-three of section 391 of the Code of Alabama, so far as the same relates to taxation on revolving pistols;

To amend an act to incorporate the Lawrenceville Male and Female Academy in Henry county, so far as the Gadsden Male and Female Academy in Cherokee county is concerned;

For the relief of Burrell Johnson, and other persons therein named, of Perry county;

For the relief of F. Villeret;

An act to authorize the appointment of additional lieutenants, and for other purposes;

An act for the relief of Wm. M. Glass, of Bibb county;

To authorize books to be opened at the city of Montgomery for subscriptions to the capital stock of the Bank of Alabama;

An act for establishing rules and regulations for the government of the army of the State of Alabama;

To aid the Alabama and Florida Railroad Company;

For the relief of the heirs of J. W. Kilpatrick, deceased;

To confer upon the Intendant of the town of Rockford the powers of a justice of the peace;

To amend the charter of the town of Tuskegee;

The better to provide for the safe keeping and security of all official bonds which may have been or may hereafter be approved by the Governor;

To authorize the appointment of engineers in the army;

To exempt certain property from levy and sale, for the use of families;

To change the lines between the counties of Shelby and Jefferson;

An act to prohibit any person or persons from giving away, selling, or offering for sale, any vinous or spirituous liquors within three miles of Lineville Baptist Church, in Shelby county, or within one mile of Hamburg, in Perry county;

To authorize the employment of a clerk in the office of the Adjutant and Inspector General appointed under the military ordinance of January 19, 1861.

To amend the charter of the incorporation of the town of Opelika;

For the better preservation of the Capitol building from fire;

To compensate certain officers therein named.

Message from the Governor, by Mr. Phelan, his private Secretary.

Mr. President :

His Excellency, the Governor, has approved bills which originated in the Senate of the following titles:

To appropriate and dispose of the two per cent. fund now in the treasury of the State;

Supplemental to an act to establish a hospital for the insane of Alabama;

For the relief of Burrell Johnson, and other persons therein named, of Perry county;

For the relief of Wm. M. Glass, of Bibb county;

To amend the charter of incorporation of the town of Opelika;

For the better preservation of the Capitol building from fire;

To authorize the appointment of additional lieutenants, and for other purposes ;

To aid the Alabama and Florida Railroad Company ;

To authorize the employment of a clerk in the office of the Adjutant and Inspector General appointed under the military ordinance of 19th January, 1861 ;

To authorize the appointment of Engineers in the army ;

For establishing rules and regulations for the government of the army of the State of Alabama :

For the relief of George G. Henry of Mobile county ;

To repeal an act therein named, in relation to the encouragement of direct trade ;

To authorize the removal of the administration of the estate of Thomas J. Walker, deceased ;

To compensate certain officers therein named ;

To repeal in part section 2 of an act regulating the tax on peddling ;

To repeal article 3, chapter 1, title 2, of the Code of Alabama ;

To authorize Benjamin H. Micou to settle his accounts, as guardian, in the Probate Court of Montgomery county ;

To compensate Wm. Skinner and J. S. Clark ;

To fix the time of holding the Circuit Courts in the fourth judicial circuit ;

To remove the administration of Thomas Greene from the county of Winston to the county of Lawrence in this State ;

To repeal article 33 of section 391 of the Code, so far as the same relates to taxation on revolving pistols ;

To amend an act to incorporate the Lawrenceville Male and Female Academy in Henry county, so far as the Gadsden Male and Female Academy in Cherokee county is concerned ;

For the relief of F. Villeret ;

To authorize books to be opened at the city of Montgomery for the subscription to capital stock of the Bank of Alabama ;

The better to provide for the safe keeping and security of all official bonds which have been or may hereafter be approved by the Governor ;

For the relief of the heirs of J. W. Kilpatrick ;

To confer upon the Intendant of the town of Rockford the powers of a Justice of the Peace ;

To amend the charter of the town of Tuskegee ;

To change the lines between the counties of Shelby and Jefferson ;

To exempt certain property from levy and sale, for the use of families;

To prohibit any person or persons from giving away, selling, or offering for sale, any vinous or spirituous liquors within three miles of Lineville Baptist Church in Shelby county, or within one mile of Hamburg in Perry county;

To regulate the fees of Solicitors in certain State cases.

Message from the House, by Mr. Brewer.

Mr. President :

The House concurs in the Senate amendment of the House bill explanatory of, and supplemental to, an act passed at the present session entitled "an act to regulate judicial proceedings, and for other purposes."

The House concurs in the report of the Committee of Conference on the House bill to provide for the payment of members and officers of the General Assembly.

The House has amended, as therein shown, and passed the Senate bill to exempt certain persons therein named from serving on juries;

To change the time when Sheriffs elect of the county of Pike shall assume the duties of the office.

The House has passed the following Senate bills:

To pay for the hire of servants for the General Assembly and Convention;

To authorize the Commissioners' Court of the counties of Bibb and Perry to provide relief in certain cases;

To pay W. B. & A. R. Bell & Co., an account;

To regulate the fees of Solicitors in certain State cases.

The House has originated and passed bills—

For the relief of George Gray;

To incorporate the Greenville Collegiate Institute, and for other purposes;

To provide for the destitute poor in the several counties of this State;

To repeal an act to make Nathan Reeves, of Cherokee county, a citizen of Benton county;

To incorporate the Troy Female College at Troy, Pike county;

To compensate Benjamin B. Davis, of the city of Montgomery;

To provide for certain expenses in preparing the acts and journals of the present session for the press, and the distribution of the same.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To regulate the fees of Solicitors in certain cases;

To incorporate the Eufaula Marine and Fire Insurance Company;

To incorporate the Woodville Insurance Company;

To amend an act approved February 25th, 1860, incorporating the Opelika Insurance Company, and for other purposes;

To pay the hire of servants for the General Assembly and Convention;

To pay W. B. & A. R. Bell an account;

To authorize the Commissioners' Courts of the counties of Bibb and Perry to issue bonds for relief in certain cases.

Message from the Governor by Mr. Phelan, his private Secretary.

Mr. President:

His Excellency, the Governor, has approved bills which originated in the Senate, of the following titles:

To amend an act approved 25th February, 1860, incorporating the Opelika Insurance Company, and for other purposes;

To incorporate the Eufaula Marine and Fire Insurance Company;

To incorporate the Woodville Insurance Company;

To pay for the hire of servants for the General Assembly and the Convention;

To authorize the Commissioners' Court of Bibb and Perry counties to provide relief certain cases;

To pay W. B. & A. R. Bell & Co. an account.

WATKINS PHELAN,

Private Secretary.

HOUSE OF REPRESENTATIVES, }
February 9th. }

Mr. President:

The House recedes from its amendment to the House bill to compensate White, Pfister & Co. for stationery.

The House refuses to concur in the Senate amendment to the House bill for the relief of volunteer companies in the State of Alabama;

The House amends the resolution to adjourn *sine die* this day at 12 o'clock, by striking out 12 o'clock and inserting 2

o'clock, and as amended concurs in the amendment of the Senate.

ALBERT ELMORE, Clerk.

The Senate concurred in the amendment of the House, proposing that the two Houses adjourn *sine die* this day at 2 o'clock P. M.

On motion by Mr. Morgan,

Resolved unanimously, That our warmest regards are hereby tendered to the officers of the Senate: To the President, for that dignity, courtesy and impartiality with which he has presided over us; to the Secretaries, for their promptitude, skill and correctness; to the Door-Keeper, for his gentlemanly attention and watchfulness; and this is no unmeaning resolution, but the sincere expression of a Senate satisfied that no similar body has ever been better officered.

Message from the House by Mr. Brewer.

HOUSE OF REPRESENTATIVES, }
February 9, 1861. }

Mr. President:

The House has passed the Senate bill to compensate James Hilton of Henry county for services rendered the State;

Also, for the election of officers in certain volunteer companies.

The House has passed the following resolution:

Resolved, That a committee of three be appointed by the Speaker, to act with a like committee on the part of the Senate, to wait upon the Governor to inform him that the two Houses, having finished the business before them, are now ready to adjourn *sine die*, unless he has some further communication to lay before them. Messrs. Walker, Scott and Bowen are the committee on the part of the House.

ALBERT ELMORE, Clerk.

The Senate concurred in the above resolution, and Mr. President appointed Messrs. Bullock, Bynum and Brewer the committee on the part of the Senate.

Mr. Bullock, from the Committee on the part of the Senate to wait upon the Governor to ascertain if he had any further communication to make to the General Assembly, reported that His Excellency, the Governor, has no further communication to make.

The hour for final adjournment of the General Assembly having arrived,

Mr. President arose and returned his acknowledgements to the Senate for the vote of regards tendered himself and the other officers of the Senate, and pronounced the Senate adjourned *sine die*.

JOHN D. RATHER,
President of the Senate.

Test :

MICAH TAUL,
Secretary of the Senate.

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